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# THE LEAGUE'S BUSINESS

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**Committee on Constructive Economy in Government.**—At the meeting of the council in Chicago in May, it was decided to appoint a committee to formulate a report embodying the League's principles of real economy in state and local government to counteract the prevailing propaganda for reduction in governmental costs through percentage cuts in the budget regardless of effect upon services. The committee was appointed with the following personnel: Thomas H. Reed, Ann Arbor, *chairman*; Henry Bentley, Cincinnati; H. S. Buttenheim, New York; J. W. Esterline, Indianapolis; A. R. Hatton, Evanston; and C. E. Merriam, Chicago.

This committee met in Chicago on August 12 to consider a tentative draft of the report prepared by A. R. Hatton. It is expected that the final report will be printed and available for general distribution sometime this month. The committee report will be given nation-wide publicity through a series of radio addresses beginning on November 15 and extending through December 27. These addresses will discuss the principles of economy outlined in our committee report, on a coast-to-coast hook-up of the National Broadcasting System. They have been arranged and will be presented under the auspices of the Committee on Civic Education by Radio of the National Advisory Council on Radio in Education and the American Political Science Association.

\* \* \*

**Committee on Proportional Representation.**—In accordance with the agreement for the merger of the Proportional Representation and National Municipal Leagues, which became effective on May 1, President Seasongood has appointed the following Committee on Proportional Representation from the membership of the two organizations: C. G. Hoag, Haverford, Pa., *chairman*; Geo. H. Hallett, Jr., New York, *secretary*; Albert S. Bard, New York; Louis Brownlow, Chicago; H. S. Buttenheim, New York; Paul H. Douglas, Chicago; Mrs. George Gellhorn, St. Louis; A. R. Hatton, Evanston; Ralph Holterhoff, Cincinnati; Lewis Jerome Johnson, Cambridge; George H. McCaffrey, New York; Murray Seasongood, Cincinnati; Wm. Jay Schieffelin, New York; Mrs. F. Louis Slade, New York; and Thos. Raeburn White, Philadelphia.

This committee will hold its initial meeting in Washington in connection with our 1932 Conference.

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**Retirement of M. N. Baker.**—After forty years of continuous service with the *Engineering News Record*, M. N. Baker retired on July 1 of this year. Mr. Baker for many years was a member of the Council of the National Municipal League, and since its creation has been a member of our Committee on New Municipal Program which has sponsored the *Model City Charter*.

\* \* \*

**Baldwin Prize Award.**—The committee on award of the annual Baldwin Prize consisting of Harry H. Freeman, Director, Buffalo Municipal Research Bureau; Wallace S. Sayre, Department of Government, Washington Square College, New York University; and Richard Welling, Chairman, National Self-Government Committee, has awarded the first prize to Norman Nahum Gill, University of Chicago. The subject of his essay was "The Manager Plan for Counties." The Baldwin Prize of one hundred dollars has been offered annually for many years by the National Municipal League for the best essay on municipal government by a college undergraduate.

Honorable mention for his essay on "The Fate of the Urban County" was received by Ralph Wesley Muntz of Western Reserve University; and third place in the contest, by Milo Fleming of the University of Illinois for his essay on "Judicial Interpretation of Civil Service Legislation."

RUSSELL FORBES, *Secretary*.



If President Harding had seen Alexander S. Carlson's *Complete Political Calendar* for New York State, he would not have remarked "that after all government is a very simple thing." For the year 1932 Mr. Carlson lists no less than 175 dates on which some political action is required by state law.

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City Manager McElroy of Kansas City announces material savings in the operation of the police department since it has been placed under the control of the municipal government. The department now has 581 employees as against 665 at the same period last year under state control. The actual savings in salaries for the first fifteen days of home rule, he declares, amounted to more than \$7000.

\*

**North Carolina  
Saves on  
Audits**

Municipal officials often resist anything in the form of a state audit or state supervision of their audits. Their arguments are usually spurious and their opposition does not encourage confidence in them. To such we commend the recent statement of Governor Gardiner of North Carolina. In 1929 the legislature of that state required that all contracts for county audits be approved by the state director of local government, as well as payments for service rendered.

Prior to that time many counties had paid as much as \$25,000 for an audit. The first year of operation of the new county audit law effected a saving of almost \$90,000. The audits were made on a uniform basis throughout the state and were of permanent value to the community. Last year the general assembly extended the same act to cities and towns and the governor predicts that the saving to municipalities in the first year will amount to at least \$85,000.

\*

**San Mateo  
County's Proposed  
Charter**

We are indebted to Edwin A. Cottrell

for the details of the home rule charter on which San Mateo County, California, will vote in November. It is of the supervisor-executive type. The five supervisors will select a county executive, who will appoint administrative subordinates subject to confirmation by the board of supervisors. The district attorney, sheriff, assessor, comptroller, justices of the peace, and superintendent of schools are elective. The appointment of the executive is to be by a peculiar process. A qualifying board, composed of two superior court justices, the county superintendent of schools, one person to be named by these three, and one to be selected by the supervisors, is to present a list from which the supervisors will choose an executive for a four-year term.

Professor Cottrell was consultant to the board of freeholders which drafted the charter. The nature of the charter and the result of the election thereon will be reported in a later article by Frank M. McVeigh, assistant secretary of the board of freeholders.

\*

**Home Rule  
and Municipal  
Credit**

Many people in the United States are busy inventing mechanical tax limits for cities. All sorts of cure-alls are being advertised. Many of them put their trust in agencies outside the municipal government proper, and invoke some form of state control. Others are merely variations of the time honored tax limit which, experience teaches, does not limit at all. Of the latter type was the \$61,000,000 expenditure limit proposal rejected by the voters of Detroit on August 9. In this case the industrial, commercial and civic leaders of the city were wise enough not to impose such an irrational method of economy upon an harrassed administration.

There is no convincing quantitative answer to the question as to how far a state can properly go in controlling local finances. The centralizationists of today urge an administrative control which avoids many of the evils of a discredited legislative control; some of the arguments which were valid when applied to the latter cannot be employed against a well planned administrative supervision.

In this issue Mr. Wallerstein analyzes the local officials' attitude towards fiscal direction from the state capitol. In his opinion the true causes of our present discontent are too great state interference in the past. The way out, he believes, lies along the path of expanded self-government for the cities, and greater respect for the hard working municipal official. Other writers, also distrustful of centralization in any garb, point to the excellent work of bureaus of research and taxpayers' leagues

where citizens have been alert. And so the battle rages between the centralizers and the home rulers.

Granting, for the sake of argument, the validity of the home rule position in normal times, there can be no doubt that the state has a special obligation to a city on the verge of bankruptcy. No rhetoric can alter the fact that, when public credit is involved, no city lives unto itself alone. The test to be applied here is purely the pragmatic one of how the state can best serve the municipality and the municipality's neighbors. The interest of the state is direct and unassailable.

What the newspapers like to call a dictatorship has lately been established in the Ontario border cities near Detroit. The 1932 legislature of Ontario passed an act. When a municipality has defaulted or is in danger of doing so, the Ontario Municipal Board, on request of the municipality or of creditors representing 20 per cent of the indebtedness, may appoint a committee of supervisors with virtual control over the city. Something similar to this method has been used on occasion in the United States, but official opposition to such a course is generally much stronger here than in Canada. In the case of the border municipalities the act was invoked by the local governing bodies themselves.

Regarding the charge of dictatorship Dr. Horace L. Brittain says

What happens to a private concern if it is unable to meet its liabilities? If it is decided in such an instance that it will serve the best interests of all to carry on and rehabilitate the company, how much voice are the previous owners given in its management? After all, the citizens of a municipality and the council representing them are basically responsible for the condition. Is not the guidance of carefully selected outside supervision likely to prove helpful in hastening a return to normal? The interests of the citizens who correspond to the stockholders are not liable to suffer in comparison with those of bond holders.



# The Depression in German Cities

ALL German cities are in severe straights. As with us, the people are looking to the national government

BY HENRY G. HODGES

*Reading, Pa.*

THE two chief sources of income for German cities are the tax on industrial and commercial concerns, and the tax on ground and buildings. Before the War the German cities had the right to levy an income tax, but with the adoption of the new constitution after the War, this right was reserved to the national government. Until the latter part of 1929 there was no serious objection on the part of the cities, although it was felt by those interested in municipal administration that this limitation was an unfair restriction of their powers. Since the administrative group in the German cities is a continuous and professional class, its conclusions on such matters are based on experience, and have a sounder background than the same opinion in the United States. When industrial conditions started to show a material change in 1930 and 1931, this call of the cities for a greater taxing opportunity became of real importance.

The fiscal year starts on April 1, and for the year 1932-33 many German cities find it impossible to balance their budgets. In fact the situation has become so general that a break in the financial morale of the cities makes it easy for any particular city to announce that it cannot make the two ends meet during the coming year, and "what is the Reichstag going to do about it?" There is also the feeling on the part of

the city fathers generally that the Reichstag is interested only in balancing its own budget, which is in large measure probably true, and wishes to leave the cities to work out their own problems. Some appreciation of such an attitude is felt by anyone living in a large German city at the present time. The situation seems to be that everyone is wondering what will happen next and waiting for someone else to make a move.

Naturally, with the depression, the industrial and commercial taxes declined materially. As in American cities, the collection of the real estate taxes has lagged, and cities cannot pay bills with taxes that are merely due but unpaid. Some of the minor personal taxes have declined even more. The unemployed cannot pay taxes, and it is variously estimated that unemployment in all German cities runs from 25 per cent to 30 per cent.

## EXCEPTIONAL EXPENDITURES

Against the decreased income, the cities have two major expenditures at the present time, both of which are practically unknown to us. One is made up of the deficits that many of the city-owned and operated utilities are showing; and the other is the ever-increasing payments to the unemployed. Immediately after the War the German people all seemed to agree that it would be a

good thing for the cities to take over as many of the existing utilities as possible, and establish others where there was a public demand. Among other things, the cities found themselves owning and operating, in 1930, the following: electric and gas works, theatres, hotels, bath-houses, airplane fields, libraries, advertising signs, hospitals, museums, city fairs and information bureaus—to mention only a few. With the depression came deficits from the operation of many of these unusual municipal activities. Some of the services had to be cut and some had to be abandoned altogether, for the present. Neither public opinion nor industrial conditions would permit an increased charge for the city's services. All of this added its quota to the unemployed, and the end is not yet in sight. This particular condition has developed several novel schemes on the part of the cities to get out from under, and has resolved itself into "the fight between private and public economy." Necessity has invented combination plans of public and private ownership and operation that are both new and intensely interesting. Their results will no doubt be a considerable factor in marking out future developments along this line in other countries. The German professional class in this business of operating cities is determined to get results in an embarrassing and important angle of their general problem.

To appreciate the figures on unemployment payments, one must understand the plan of payments. When a worker has lost his job he must take care of himself for the first three weeks. After that the payments are made by the national government for twenty weeks. Then, for the period of a year, the national government contributes four-fifths of the payments, and the cities must make up the other one-fifth. From this point the city must take over the entire burden of the payments of

its unemployed. And it is this point that was reached last year as far as the bulk of the payments is concerned. With new names being added to the list weekly, the city's total is ever increasing.

#### SOME CASES

To show the changes that have taken place since 1929, we have the following figures from the *Staedtetag*, a central clearing organization for statistical and other information, and for investigation of and for the larger cities which support the bureau. The cities discussed below represent all geographical locations except the south. At this writing the large cities of the south have not compiled their figures, but it is to be noted that their condition is much better, due chiefly to their relatively larger agricultural activity.

*Dortmund* has a population of 533,000 and is located in the west. It is the great city of the Ruhr coal district. Its present financial dilemma has been intensified by two special factors. In the first place it annexed in 1928 and 1929 a number of surrounding communities, so that its population changed from 247,000 just before the War, to 533,000 in the present year. Furthermore, in the past few years, the center of the coal mining industry has shifted further north so that most of the Dortmund mines are closed altogether. This combination of circumstances awaited the fast approaching depression, with the result that Dortmund has found it extremely difficult to meet many of the peculiar problems resulting from the annexations. To illustrate with the figures: Dortmund's share of the taxes returned by the state and national government, which we will call the transfer tax, in 1930, the first year of the greater city, was \$4,500,000, almost double the amount paid out that year for unemployment. In 1932 this transfer tax dropped to \$4,000,000 while the unem-



ployment figures increased to \$8,950,000—almost three and one-half times what it was in 1930. In 1930 the income tax collected by the national government in this city amounted to \$15,000,000; while in 1932 the figure had dropped to \$8,850,000—less than the city's unemployment payments of \$8,950,000. At the present time 34 per cent of the city's population are receiving public relief of some kind.

*Mannheim* has a population of 270,000 and is located in the southwestern part of the country. Its situation is as bad or worse than that of Dortmund, and in addition to the general depression, it has also suffered greatly because of the fact that the changed geographical line since the War has made it a border city of France—a matter of great moment with Germany. This new boundary status has changed the fundamental economic position of Mannheim. Border cities are considered unsafe for large industries, and hence have suffered a drop in manufacturing and in the wholesale trade. Mannheim has altogether lost its former commanding position in banking and insurance. The Renz Company, employing 3500 people, has moved its plant to a more inland location where it is safer in the event of war.

The transfer tax which amounted to \$3,950,000 in 1929, almost six times the amount required for unemployment payments of \$700,000, decreased in 1932 to \$2,850,000. During the same period the unemployment expense of the city has grown from \$700,000 to \$1,750,000. The income tax paid to the national government amounted to \$6,750,000 in 1929; while in 1932 it dropped to \$5,000,000. The city's needs for all social purposes in 1929 was only one-third of these income tax payments, but in 1932 these social needs were one-third greater than the total income tax. For the present year it must carry 29 per cent of the entire unemployment burden of the state

of Baden. Of the present population, 30 per cent are receiving public assistance. To meet this situation the city is making every effort to cut its operating expenses, although the cut for this year amounting to one-third of the former expenditure is not sufficient to balance its budget.

#### BRESLAU AND STETTIN

*Breslau* in the east has a population of 617,000 and has probably received an even greater set-back than Mannheim. It has become, since the War, a border city, and if possible a more precarious border city than Mannheim, because it is close to the Polish corridor. The international situation here is such that it will not be safe within the memory of the present generation. This naturally has a grave effect on the economic position of Breslau. Not only the tariff policy of Poland, but probably also the avowed policy of the German government, as will be explained, operate not only to stifle the growth of Breslau as a city but actually to hold out for it the prospect of a considerable set-back.

Breslau's share of the transfer tax in 1929 amounted to \$7,850,000—about four times the amount required for unemployment payments of \$1,900,000. In 1932 this transfer tax has dropped to \$2,850,000, which is less than a quarter of the present requirements for unemployment—\$11,575,000. The income tax dropped from \$15,575,000 in 1929 to \$11,625,000 in 1932, while the total amount required for all social purposes this year is \$15,200,000. Of the total population there are 230,000 or 37 per cent receiving public aid of some kind.

*Stettin* has a population of 270,000 and is located in the north near the Baltic Sea. In fact, it is Germany's greatest Baltic city and the third greatest harbor in the country. Here again, however, the Polish corridor is playing an important rôle in the transformation of a



German city. The artificial stimulus given to Gdingen, the new seaport of the corridor, has caused it to become an effective competitor of Stettin for the Baltic trade. On account of its geographical location Gdingen has unusual harbor facilities. This, with its natural importance to Poland, and the high tariff wall erected for its protection, have all operated to effectively check the growth of Stettin. The first practical result was the dismantlement of its large shipyard.

Here, while the transfer tax in 1929 was \$3,125,000 or nine times the amount of the unemployment payments of \$350,000, in 1932 it had dropped to \$1,075,000 and the unemployment payments have increased, almost unbelievably, to \$2,225,000. During the same period the income tax dropped from \$5,950,000 to \$4,625,000. At the present time 31 per cent of the population are receiving public aid.

#### HALLE

*Halle* is in the central part of Germany and has a population of 203,000. It is a well known industrial and commercial city, and the center of the well developed brickette, potash and sugar beet industries. The Leuna-Werke, manufacturers of brickettes, is the largest concern of its kind in central Germany. Since the War, partly on account of its favorable inland situation, Halle has enjoyed considerable prosperity. Its industries are of mixed character, and made up of a happy combination of medium sized and small concerns, as well as those with a national reputation. In spite of these favorable factors the present economic crisis has caused plenty of trouble for Halle.

The transfer tax decreased from \$2,575,000 in 1929 to \$825,000 in 1932. In 1929 the unemployment payments amounted to only \$160,000 and were covered six times over by the transfer tax. In 1932 this tax income was not more than half the needs for unemploy-

ment payments, which have grown to \$1,900,000—more than ten times what they were in 1929. The total income tax in 1929 was \$4,900,000, while in the present year it is \$3,400,000. At the same time the needs for all social purposes this year is \$3,225,000. In Halle, in 1932, 29 per cent of the population are receiving public assistance.

#### REPARATIONS AND THE CITIES

So everywhere, except possibly in the south, where the figures are not yet available, the picture is the same. The German cities are universally faced with a decrease in the transfer tax and an ever-increasing need for unemployment payments. After the majority of the cities meet their so-called social requirements they have practically consumed their entire incomes. They are then faced with the problem not only of salaries and wages, but interest and amortization of their debts, which are fixed requirements. The burning question is—what about the future deficits? The situation has now reached such proportions that it will very shortly demand the attention of the national government. But the present national condition of unrest is such that the government has its hands full with its own affairs.

In the large cities, particularly in Hamburg and Berlin, the general discontent of the unemployed, whose income is only a portion of what it would be if they were working, is causing considerable anxiety. The universal feeling is that conditions cannot improve until there is a definite understanding that there shall be no more reparation payments. Such relief for the national government will permit it to pass along sufficient funds to meet the unemployment needs, on the one hand, and restore confidence to the extent of stimulating business on the other. From the standpoint of present considerations, it would enable the cities to balance their budgets.



To present the situation at a glance, the following are total figures for German cities for the years 1929 and 1932, as we have been considering them in the typical cities selected. The income tax for 1929 was \$300,000,000; for 1932 it was \$125,000,000. Within the same two years the unemployment figures jumped from \$57,500,000 to \$330,000,000; while the amount of the transfer tax returned to the cities declined from \$412,000,000 to \$245,000,000. The only industries in Germany that are in favorable condition are those, like the agricultural machinery and textile industries, which are manufacturing merchandise for the reparation payments in kind. Their payments come from the national government and the merchandise is shipped to the receiving countries. Such reparation payments have, of course, continued and these industries have not suffered through the depression.

#### POPULATION LEAVING THE CITIES

The national government, through the *Arbeits Ministerium*, is making every possible effort to relieve the unemployment situation by turning the increase of population from the cities to the land. Last year was the first to show the results of this work. Of twenty-eight cities with a population of over 200,000 there was a gain in only five. While the figures are not large, the tendency is well defined. In the group of twenty-one cities between 100,000 and 200,000 only seven showed a gain. The figures also show the increase of population to be in the small cities and on the small farms.

In addition to forming a more or less permanent solution to the present situation, this artificially stimulated movement back to the land is part of the government's program of national defense. When large estates are sold they are in many instances bought by the government and made available for

small farmers, especially when such land lies along the eastern or western borders of the country. Along the eastern border, particularly, is Germany making an active effort to increase its population by transfers from the large cities. This plan also fits in with its determination to raise the food necessary for the country's consumption. Eggs and butter are now imported in large quantities.

#### PROPOSED REMEDIES

The *Staedtetag*, which is the recognized mouthpiece of the cities, suggests two plans, either one of which would take care of the present dilemma of the cities. It is the unemployment payments that are chiefly bothering the cities, and these payments they estimate for the budget year 1932-1933 to be \$375,000,000. Of this amount they contend the cities can raise, under present conditions, only \$150,000,000. It is, therefore, suggested that the national government pay to the cities the \$225,000,000 to make up this difference.

It is also suggested that the transfer tax be eliminated, and that the money contributed to the communities to make up the fund from which these payments are made, remain in those communities. As an alternative to this plan it is suggested that under the authority vested in the president by the famous article 48 of the constitution, the cities be given the authority to levy an income tax. By this method, also, it is claimed that they can balance their budgets. What this plan would do to the present tax problem, or where the national government would get the extra \$225,000,000 for the first plan, is not enlarged on. In conclusion, the bureau insists that a recommendation of the entire financial program of German cities is most pressing, and should receive the prompt attention of the national government, with a proper consideration of not only its own needs, but also those of the cities.

# The Short Ballot Safe in Virginia

BY GEORGE W. SPICER

*University of Virginia*

ALTHOUGH the legislature has power to restore certain administrative offices to the ballot, the state prefers the economies of the new system and will retain it

THE short ballot in Virginia was introduced by constitutional amendments approved by the voters of the state on June 19, 1928. These amendments along with numerous others were regarded as necessary to the completion of the reorganization of the state government initiated through the reorganization act of March, 1927. They affected four state officers who had formerly been elected by direct vote of the people, namely, the secretary of the commonwealth, the state treasurer, the superintendent of public instruction and the commissioner of agriculture and immigration. As to the secretary of the commonwealth, section 80 of the constitution as amended, authorized the general assembly on and after February 1, 1930, to abolish the office, and the general assembly, at its special session of 1927 did in fact abolish the office, to be come effective February 1, 1930, subject to the ratification of the proposed amendment. By this act the powers and duties of the secretary of the commonwealth were transferred to other officers.

The amendments relating to the other three officers referred to in the preceding paragraph provide that each "shall be appointed by the governor, subject to confirmation by the general assembly for a term coincident with that of each governor making the appointment" with the proviso, however, "that the general assembly shall have power, by statute enacted after January first, nineteen

hundred and thirty-two," to provide for their election or appointment.

It should also be stated here that through another amendment, not included in the short ballot resolutions, the three members of the state corporation commission, who since 1918 had been elected by the people, are now elected by the general assembly. Thus it is seen that prior to 1927 ten state officers, excluding the members of the general assembly, were elected by the people, whereas now only three are elected, namely, the governor, the lieutenant governor and the attorney general.

The state auditor of public accounts is the only administrative official elected by the general assembly. The purpose of vesting the selection of this officer in the legislative body is to afford an independent check upon the activities of the administration.

## FUTURE RESTS WITH LEGISLATURE

It will be observed that the destiny of the short ballot in Virginia now rests in the hands of the legislature. The general assembly can provide for the election or appointment of the state superintendent of public instruction, the treasurer, and the commissioner of agriculture and immigration in any manner that it desires. Thus an interesting and important question to both advocates and opponents of the short ballot principle is, what will the next legislature of Virginia do with the short ballot? Now,



the present writer has neither the capacity nor the temerity to play the rôle of a prophet, but there are certain factors involved in this question, a knowledge of which may render guessing less hazardous.

#### OPPOSITION TO ORIGINAL ADOPTION

After thorough public discussion and in the face of strong opposition, the short ballot amendments were adopted by the narrow margin of approximately three thousand votes, each amendment being voted on separately. The chief arguments against the proposal were that it deprived the people of the sacred right of electing directly their important officials, and that to place so much power in the hands of the governor would enable him to build up an impregnable machine and defy the voice of the people. In support of the proposal it was contended, among other things, that it was calculated to restore popular control to the people by simplifying the elective process and fixing responsibility where it could be located and rigidly exacted. It was also pointed out that the duties of the offices involved in the Virginia proposal required technical knowledge of their incumbents and that the governor was in a much better position to select persons with the necessary qualifications than the electorate. However, the arguments of the opposition made a strong appeal to the voters, and it required the full strength of the powerful Byrd administration to carry these amendments by the slight margin indicated. It is safe to say that but for the vigorous and intelligent leadership of Governor Byrd, the success of whose administration was already apparent to the electorate, the short ballot proposal would have been rejected by a wide margin. It was zeal for Governor Byrd's administration in general rather than for the short ballot proposal in particular that led many voters to support it. Thus, the short ballot did not begin its career in Virginia under any too favorable auspices. Inspired by the

small majority of votes in its favor, the opponents of the movement predicted that the general assembly would repeal it in 1932. On the contrary, however, a bill introduced in this year's session to repeal the short ballot died in committee.

#### PRESENT STRENGTH OF THE OPPOSITION

But events since 1928 indicate a decided weakening, if not a collapse, of the opposition. In the gubernatorial democratic primary of 1929, ex-Senator G. Walter Mapp, who strongly opposed the short ballot, trailed by 75,000 votes Professor John Garland Pollard who favored the short ballot and the entire Byrd program. Again, in the general election for governor, Professor William Moseley Brown, the anti-Smith-Republican coalition candidate, who devoted much time and energy in his speeches to a severe denunciation of the short ballot, went down to defeat before Mr. Pollard by the almost unprecedented majority of 70,000 votes. In the primaries and elections to the general assembly of 1932, the short ballot issue figured in very few contests, and the results indicated an overwhelming majority of both houses opposed to repeal of the short ballot.

#### OPERATION OF THE SHORT BALLOT

This collapse of the short ballot opposition in Virginia is attributable primarily to the successful operation of the system. First of all, it constitutes an integral part of a reorganization scheme which, in spite of its weaknesses and omissions, has been successful in cutting down the cost of operating the administrative machinery of the state, in bringing about a more efficient conduct of administrative functions, and in making the government more responsible. In the second place, Governor Pollard's appointments have been such as to win favor for the short ballot. His appointments have been of a uniformly high order. A recent newspaper editorial, in commenting on the splendid appoint-

ments which the present governor has consistently made, remarked that "Perhaps he has shone most in his choice of men to head the departments." Almost without exceptions his appointments have met with the enthusiastic support of the press and the thoughtful citizens of the state.

#### THE PROBABLE FUTURE

If the foregoing observations are correct, it is at least highly probable that the short ballot has become a relatively permanent part of the administrative structure of Virginia. It is again emphasized, however, that this is only a guess based upon reasons which seem to be sound. If it is complained that this is not scientific, the answer is that American legislative bodies are not scientific.

#### OMISSIONS OF THE VIRGINIA PLAN

Although the short ballot as applied in Virginia constitutes a distinct contribution to progressive government, this article would fall short of its purpose if it did not point out two omissions in the plan as adopted for this state.

Perhaps the most obvious omission of the Virginia application of the short ballot principle is to be found in its failure to include the office of attorney general. To the writer's mind there is no justification for the popular election of the attorney general. It was argued by former Governor Byrd and other advocates of the short ballot for Virginia that because the attorney general renders certain legal opinions which have the force and effect of law unless changed by court decision, and because these opinions may, and sometimes do, concern the duties and powers of the governor, he should be elected by the people and not appointed by the governor.

In the light of the fundamental purpose of the short ballot and of the general argument of its Virginia advocates, it is difficult to grasp this position. It was argued that the governor should be

given full power and held to a strict accountability for all of his public acts. Now the governor is constitutionally charged with the duty of seeing that the laws of the state are faithfully executed. In the performance of this important duty the attorney general is the governor's most important agent. It is largely through him that the laws must be executed. Yet the governor has no control over this important agent. The actual situation is that the public hold the governor responsible for the execution of the laws of the state while the principal agent through whom he must perform this duty is not responsible to him.

Thus the arrangement regarding the office of attorney general results in an unfortunate division of responsibility which may in the future seriously embarrass the governor as the responsible head of the state government. Furthermore, the qualifications of this office are of such a technical nature as to render an intelligent choice of its incumbent by the electorate highly improbable. The average voter has no notion of the legal and other qualifications necessary for the proper performance of the duties of this office. Thus popular choice of this officer violates the fundamental principle of the short ballot that all technical officers should be appointed.

#### NO CIVIL SERVICE SYSTEM

It is unfortunate that at a time when far-reaching changes were being effected that no effort should have been made to set up a merit system for the selection of subordinate administrative officials. An efficient merit system would have assured the technical competence of these lower officials and at the same time done much to prevent the possible future abuse of the executive appointing power. It may be successfully argued that thus far no such safeguard has been needed, but a wise application of any principle of government requires that due regard be given the possibilities of the future.



# Lessons from English Experience with Garden Cities

LETCHWORTH and Welwyn are true garden cities. Their successes and difficulties are here frankly described for American readers

BY W. LOFTUS HARE

*Editor, Garden Cities and Town Planning*

AMERICAN readers are already familiar with the arguments advanced in favor of planting "garden cities" on American soil, and of the experience gained by those who have actually made the attempt to do so. It is not likely that the ideal will be abandoned on account of the difficulties to be overcome, or because the realization may not be of the quality anticipated. The idea has come to stay, and those who adhere to it may wish to hear the experience that has fallen to other pioneers in other lands. What, for example, has been the measure of success in England, and are there any lessons to be learned from the other side of the Pond?

It is not easy to answer such queries in definite terms. In England we are in the habit of saying that "there are only two garden cities, at Letchworth and Welwyn," although it may appear to the casual reader of the daily press that garden cities had been built in many places. To attempt to give an account of all such places in any useful detail would be a task too heavy, and would require for its performance a long time and much space for its expression.

It will be best, therefore, to concentrate, at first, on the facts most likely to interest readers of the NATIONAL MUNICIPAL REVIEW in respect to Letchworth and Welwyn Garden Cities, assuming always that the ideal they exhibit is already understood and approved.

The garden city movement in England already has a history which, if it could be told in full, would discover somewhat of a romance, a notoriety, an initial and practical success, an influence beyond its wildest dreams, all qualified by various disappointments and delays caused by external circumstances rather than by inherent demerits of the movement itself. And, be it remembered, this movement belongs to the period in which the great war occurred, and cannot have remained unaffected by that world-shaking event, in the presence of which we are unable to estimate the success or failure of the movement *per se*.

## THE IMPORTANCE OF PROPER SITE

Garden cities require land, obviously; and landowners demand money. But even the possession of money by a garden city company is not enough. You cannot plant a garden city on any 5,000 acres, anywhere. The idea of a garden city—with its necessary relation to other towns within its region, or its satellitization to a great city—restricts its choice of site. The number of possible sites in England for new towns settled on vacant land, or built on the nucleus of a few small villages, is not so numerous as some suppose.

Yet, curiously, the choice of the sites for Letchworth and Welwyn was not by any means the main difficulty; in fact,

by happy accidents combined with discretion, good fortune and goodwill, we secured land for the two cities without much trouble. But such accidents have the tendency to occur less frequently, and it is not certain that sites for new cities can now be obtained at relatively low prices and at convenient location.

The First Garden City Ltd. acquired sixteen small, separate and contiguous estates, and consolidated them into Letchworth in 1903. The cost of the land was about £40.0.0 per acre, a very reasonable figure. The second garden city company was started in 1919 in entirely new conditions and obtained parts of two estates, which were combined into Welwyn Garden City. The cost of the land was £44.10.0 per acre for 2,378 acres. So far, so good.

Thereafter, most of the "difficulties" were inherent to the enterprises undertaken, except those arising from major world politics, to which I have already referred.

#### CAPITAL AND LIMITED DIVIDENDS

The first problem facing both companies was to raise sufficient capital to purchase the land and develop the estates. The guiding principle was the restriction of shareholders' dividend to 5 per cent, and the postponement of its payment until sufficient had been earned. It was part of the ethical outlook of the promoters that "garden cities" should not be like other speculative estates, where all the profit goes to the promoters; here profit beyond 5 per cent is to go to add to the amenities of the towns, and so, broadly, to the "community." The community is not a specific number of persons or ratepayers, or the local municipal authority that may be expected to be formed, but the whole body of inhabitants who venture upon the somewhat idealistic and uncertain enterprise. In the case of the older garden city, a great deal of money has already been expended in beautifying

the town by means of open spaces, which, with a more niggardly policy, might have gone towards dividend.

The "City"—corresponding, I suppose, to Wall Street—did not at first see in this type of development the kind of investment which is usually sought by financial circles. Most of the initial capital was subscribed by "believers" in the aims of the companies. In a word, these two private enterprise companies had and still have a hard struggle to keep a sound position, though in relatively different degrees.

The second problem, that of planning, presented no difficulty. The best expert advice was obtainable in making town plans for the two estates; the land was in single ownership and complete freedom exercised in the preparation of the layout—roads, houses, factories, public buildings, open spaces, public services, each had their appropriate siting.

#### THE PROBLEM OF ATTRACTING INDUSTRIES

The fundamental problem was now to present itself: how to get industries established there? How to induce residents to come there to live and, especially, how to overcome the curious conservatism of town workers, well dug in to their old homes, to come out to the new cities? Time, patience and demonstration were required, and were forthcoming. Twenty-five years for Letchworth and ten years for Welwyn have passed; almost superhuman endurance has been displayed and two new towns have actually appeared objectively, and become the talk of the town-planning world.

But more was needed, and was found. The forces of economics—in spite of financial stringency—were at work on our side. One industry after another settled at Letchworth in the spirit of heroic adventure, and found the ground safe under its feet. Courage became in-



fectious and brought 100 factories and workshops to the first garden city. There were a few failures. On a smaller scale the same happened at Welwyn. The experiment was discovered to be sound; the economic, hygienic and social advantages were proved to more and more doubters; garden cities ceased to be a utopian dream and became practical politics. Statesmen blessed us, and the expression "garden city" found its way into Acts of Parliament of 1922 and 1925, and again in the Bill of 1932, as a recognized form of estate development.

Looking in closer detail to the difficulties, I have mentioned—which, of course, have not been entirely surmounted—it may be said that the magnet we set up to draw industries, residents and workers away from the great city was not all powerful. Most of the London industries are deeply embedded in a system in which their present location seems to be important. They have relation to the docks or the railway termini, or to the city or to the detail establishments. The organism has an historical growth behind it that cannot easily be changed; the lines of transport are laid down, the residence of the workers settled—alas, too long and too often in slums—nearly everybody is temperamentally conservative.

The workers feel this too. A grown-up family, consisting of parents and three or four young people, are settled in their jobs, living in one house. For the whole family to be uprooted to go to a so-called paradise is none too attractive. They hesitated, and still do so, quite naturally. For some years "black-coated" clerical and business men lived at Letchworth and journeyed daily to London, and still do so. Even a larger proportion settle at Welwyn. But the tide is turning, and now almost unexpected relief has come to the industries and workshops by the employment of the young people, literally in thousands, from the surrounding small villages.

Cycle, car and train pour them in and out daily. The larger proportion of the workers, however, live and work in the towns, this being our ideal.

#### LACK OF CAPITAL RETARDS RAPID DEVELOPMENT

I now return to the great problem of finance in relation to general development, which inter-penetrates every phase of the work. Being a social-economic experiment, the garden city proper did not and could not attract large capital subscriptions, and this caused a drag on the speed of development in both cases cited. The public services of water, gas, sewage and electricity, together with roads required large expenditure, which could not be remunerative immediately. Housing was done privately and by subsidiary public utility societies at first, and later by the local authorities in whose areas the estates were found. No land was to be sold outright, being contrary to the basic principles of the ventures.

Consequently, loans were negotiated with a government department, and in the case of Welwyn to very large amounts. The repayment of capital and interest annually out of still slender income from early development became an almost intolerable burden, and led, in the case of Welwyn, to a reconstruction of capital account. The income was sufficient to pay a small dividend, but the expense of the loan transaction more than swallowed it up.

Letchworth weathered the storm of the war period and the financial aftermath without disaster, and has for several years paid deferred dividend to its patient and faithful shareholders.

The above paragraphs, devoid of particulars, are perhaps sufficient to indicate the fundamental problem which private companies must meet in the attempt to demonstrate the meaning of the garden city idea, and it would not be going too far to say that the major

part of the burden was thrown upon the companies by external circumstances, upon which they had no control and from which, like many another enterprise in the same period, they could not escape.

#### SEVERAL MINOR PROBLEMS

Several minor problems should be mentioned. Garden cities must have retail shops, which Letchworth permitted in the ordinary English manner, after planning the shopping areas in suitable locations. Shopkeepers came, and some of them went. At Welwyn a departmental store was established to the exclusion of private retailers; lately, the policy has been changed and shops are being permitted.

Another curious issue was raised out of the idealistic formulæ of Ebenezer Howard, the initiator of the garden city idea. He thought much of the "community," and the final benediction he hoped to confer upon it when garden cities were completed. When, however, the English local government system exercised its functions in these areas, a new and somewhat unexpected situation presented itself. The urban district councils now created round Letchworth and Welwyn are wont to consider themselves the "community"—in the sense thought of by Howard and the companies. They work side by side with the companies, who supply the public services and own most of the land; it is a kind of "dyarchy," as the Indians would call it. A strange situation will occur in future years if the councils stand forth as the rightful inheritors of the fully developed garden cities which the companies have created.

#### LOOK TO THE GOVERNMENT IN THE FUTURE

Finally, how were the difficulties surmounted? I make no secret of the fact that, although the garden city idea is as vital as ever, the methods hitherto

adopted are not likely to be repeated. We now look to great municipal corporations, and even to the government, to take up the matter. Regional planning has covered the greater part of our small island, and the joint committees have noted the possible sites for new towns and suburbs.

In this regard we hail the enterprise of Manchester in acquiring 3,453 acres in Cheshire, over its own border, where something like a "garden city" will be built. It is the first of a new style and not likely to be the last. Industries, residences, open spaces, arterial roads and parkways, with much land for agriculture. The estate is known as Wythenshawe.

I ought to mention that before the two garden cities were launched, several large industrial companies laid out estates to include their factories and houses for their workers. This began towards the end of the nineteenth century, and the most remarkable examples of development were established at Port Sunlight (Lever Brothers Soap Manufactory) and Bournville (Cadbury Brothers Cocoa Works). These two enterprises were laid out on garden city lines, and being entirely under the control of their directorate, have met with no particular difficulties.

From the American point of view perhaps, what we call garden suburbs should be included in this brief sketch. Here the best known is situated at Golders Green, in the North of London, and is known as Hampstead Garden Suburb, founded by Mrs. Henrietta Barnett. A special act of Parliament was passed, and the estate was laid out by Messrs. Barry Parker and Raymond Unwin, who had already been employed at Letchworth. Here the land belonged to a trust, and the housing development was done by a number of housing companies. There are, however, no factories, although there are a good many shops.



# What Local Officials Think of State Financial Control

GIVEN adequate power and relief from embarrassing mandates, our cities can take care of themselves

BY MORTON L. WALLERSTEIN

*League of Virginia Municipalities*

THE phrase "excessive cost of local government" has become a popular theme for our state and national figures. It transcends political parties, finding equally popularity as a battle cry, and possibly as an alibi, both by President Hoover and by Governor Roosevelt. Pathetically enough, neither the users of this phrase nor their audience have ever properly analyzed it. The municipal officials have been so engaged in endeavoring to make both ends meet that they have done little in removing this smoke screen. I am, of course, not here either to defend or advocate large public expenditures whether they be national, state or local, but it must be apparent that the phrase "excessive cost of local government" demands proper analysis. The implication from the word "excessive" is that the localities of this country are either spending their money wastefully or in services not necessary to the public weal. With regard to the former of these propositions, it would appear that the most that has been said for wastefulness is that it appears to be the result of a cumbersome, all too small unit of government, satisfactory in the gay nineties, but utterly unequipped for the manifold business activities of our localities of the present day. With regard to the latter,

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we have as yet heard no state or national figure suggest any activity whatsoever which our cities should relinquish. In either event, the fault would seem to lie with the state—certainly in a large measure.

With these preliminaries out of the way, let us consider the viewpoint of the local official toward expenditure control. A local official quite naturally is much concerned with rising local expenditures. He deprecates it as much as anyone. Generally speaking, his feeling is that local government being closer to the people, being a smaller unit susceptible to greater vigilance, will be more economical and more efficient without interference by some outside unit of the state—in many cases far removed from the field of activity and unaware of the real problem which faces the locality.

I believe that those who are close to government will agree that the Virginia cities and towns are considered well governed. Such a thing as corruption in local government is almost unknown in our state. I believe that the cities and towns of Virginia are in some measure considered model local governments. This is a result as I see it of three conditions. The first is that during the past quarter of a century, with only one exception, and that was a constitutional amendment prohibiting localities from assessing specially for

street improvements, there was not one single act passed by the general assembly of Virginia taking away powers of government from the localities. In the second place, our cities, but not the towns, are separate autonomous units of government totally free from any interference by the county in which they are located; even our towns are becoming more autonomous. In the third place, our legislature has been most generous in leaving our cities and towns free in a large measure to adopt that form of government which is best suited to the needs of the particular locality. In other words, the progress Virginia has made in its local government is due to the fact that the state has left the localities alone to work out their own affairs. If the state continues to leave them alone they will continue to improve their government themselves.

#### WHAT IS POSSIBLE WITHOUT STATE DICTATORSHIP

What can be done in Virginia, or in any state that will adopt the Virginia philosophy, to solve the problem of mounting municipal expenditures without suffering state expenditure control? The solution involves the active coöperation of three classes, the local public, the state, and the city governing bodies themselves.

As to the public, the local official believes that the public needs to be educated to a fact to which they seem to be entirely oblivious, that is, that if they want to dance they must pay the piper. The public must also be taught that because the men who are conducting the affairs of the municipality give thought and time to the various problems both as to income and outgo, the public should allow them freedom to solve their knotty problems. A typical example, as it seems to me, is economy in street traffic control where, as we all know, merchants endeavor to regulate traffic with about as good results as the

council would have if it endeavored to run the business of the interfering merchant. Furthermore, our local officials are exceedingly embarrassed from time to time by organized minorities. For example, street associations are organized with the sole purpose of having a certain street improved regardless of necessity or expense. Members of this association may represent a politically active, but exceedingly small minority. Nevertheless, the great majority opinion either through lack of courage or lack of interest does not assert itself. Until the majorities assert themselves, your local official is of course forced into a position where such a minority must be recognized if he desires reelection.

As to the part which the state should play, the local official feels that there are many activities constantly imposed upon the locality by the state without corresponding increased freedom of taxation. The view has been well expressed by Professor William Anderson in an article which recently appeared in *Public Management* in the course of which he made the following statement:

If times were calmer, Local Government might make many pleas concerning mitigating circumstances, or incitation to the deed, or the complicity of others. He might ask National Government why he continued to urge localities to provide unemployment relief, better health administration, better roads and schools, better housing, airports, and a hundred other things. He might also ask State Government why he continued to heap more burdens upon him, and yet at the same time steadily took from him for State Government's exclusive use one field of taxation after another.

It is but natural with such a situation existing that local expenditures have mounted. What the cities and towns need are more objects of taxation to pay for their increasing activities, which probably have increased in greater proportion than the activities of either the state or the national governments. Generally speaking, the activities promote



the public welfare. Frequently, they are created by mandatory state legislation. In the next place, not so much in Virginia as in other states, it is essential that greater autonomy and a wider discretion be given to our local units to improve through local action the form of government under which they operate. Moreover, in Virginia as far as the towns are concerned and in many other states as to both cities and towns, much of the high expenditure is due to the money paid to the county. It is readily admitted not only by people generally, but by the county officials themselves that the general form of county government, as well as the small size of the unit, existing throughout the United States is utterly inadequate for present day needs.

And now as to the city and town officials themselves. The average local official is as desirous as the taxpaying citizen to put his own house in order. Many of us know that our cities are seriously handicapped in some instances with members of their personnel who were well suited to their tasks a decade ago but are not so fit today. In some instances the local executive will tell you that the only way he can improve the police force, which he inherited from a more political era, is to discharge the entire personnel, and begin again. He will also tell you, what you know to be a fact, that public sentiment simply will not stand for this.

Our local officials are in dire need of more available scientific, practical advice. In many instances the city forces themselves can furnish this. In others, on account of the small size of the city or the intricacy of the problem, this must be furnished by the state municipal league. It would, therefore, appear that with the enlarged and continued growth of these organizations compara-

tive figures and scientific methods can and will be furnished our localities to a greater extent than ever before realized.

Given a fair chance with the present growth of interest in government and without legislative interference, our cities and towns should be able to work out their problems in a better fashion than would be possible through state interferences at a distance.

#### A WARNING

And now may I sound a word of warning? I have found, that our cities and towns, in an effort to keep down these expenditures, are frequently in the position, in order to try to make a good financial showing, of endeavoring to spend less money by purchasing inferior materials and services when any good business concern would spend more money on better material and services. In other words, our cities are sometimes penny wise and pound foolish. I believe that this is frequently attributable to those who continually harp on the so-called "excessive cost of local government."

In conclusion please do not misunderstand me. Our local officials welcome the constitutional bond limit, the state laws requiring local budgets and local publicity with regard to budgets and bond issues. They welcome local public interest, when it does not seek to impose through political pressure on the mature judgment of our councils. Give your cities broader powers, stop legislative interference whether as to expenditure control or otherwise, make your municipalities autonomous as are those in Virginia. Then the cities of the nation, without state expenditure control, will be as well governed as are those of our state—so believes an immodest Virginian.

# Local Government In the Irish Free State

THE era of appointed commissioners has given way to elective councils with city managers

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BY LAURENCE P. BYRNE

*Dublin, Ireland*

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AFTER the constitution of the First Dail Eirean, towards the end of 1918, local authorities in the area which later became the Irish Free State refused to recognize the authority of the old local government board and transferred allegiance to the ministry of local government set up by the authority of the Dail. Because of the conditions under which the new system operated, there was a lack of supervision and control which lead to considerable increases in the rates and great discontent among ratepayers in all parts of the country. In places no rates at all were paid, and in many counties the rates went hopelessly into arrears. Councils ceased to meet with any degree of regularity, and affairs were on the verge of chaos. The outbreak of the Civil War increased the difficulties of administration, and as it was neither possible nor desirable to hold elections the government was forced to appoint paid commissioners in several counties to deal with an extraordinary condition. So it was that conditions dictated what was afterwards to become the settled policy of the Free State government in relation to local government, and almost by accident a new orientation was given to the system.

As soon as political and social conditions became favorable the first local government measure of the Free State government was introduced and passed quickly into law. By the terms of the

Local Government (Temporary Provisions) Act of 1923, radical changes were effected in the system as it stood, and whole sections were abolished altogether. The act reorganized the whole system of poor relief, making the county the unit of administration, and established one central county home and one county hospital for the succor of the poor in each county.

## COMMISSIONER GOVERNMENT

The Local Government (Temporary Provisions) Act of 1923, gave the minister for local government and public health power to dissolve, after the necessary inquiry, any local authority which did not properly discharge its functions, or which proved recalcitrant to any lawful order, and to appoint paid commissioners to carry on the work. This power was widely used, the two most notable instances being in the county boroughs of Dublin and Cork, in each of which the corporation was dissolved and the business of the city transacted for several years by commissioners—three in Dublin and one in Cork. While in both these cities the results demonstrated that a few disinterested persons can manage the affairs of a large city with ease and competence, and manage its affairs also with great despatch, it was always plain that there must sooner or later be a return to control by an elected council. Control by appointed



commissioners was not, in fact, local government at all; it was merely the management upon business lines of the affairs of a particular area. The continuance indefinitely of such a system must inevitably have killed all possibility of local interest and initiative, and must ultimately have made 'good citizenship' merely an empty phrase.

While it was quite certain that there must be a return to elected councils, it was no less plain that there would be no return to the old system in all its points. And this was made manifest when the time came three years ago for the return of the elected council to Cork; the commissioner was replaced by the city manager, and the control by the elected council was very much increased.

In 1925 the Local Government Act made radical changes in the system as it had existed since 1899. The rural district councils were abolished and their powers and duties transferred to the county councils. The entire system of public health administration was reformed, and one rural sanitary authority was established in each county under the title of the county board of health. This act continued and extended the powers of the minister for dissolving recalcitrant local authorities, and gave to any council the right to transfer voluntarily its powers and duties to a manager or a commissioner. By these clauses the government merely acceded to the widespread demands to remove such local authorities as had shown by incompetence or neglect their inability to discharge the public duties for which they were elected, and the powers have been used in a large number of cases from Donegal to Dublin. The county council was also constituted the authority for the construction and maintenance of the roads, except the roads in urban areas, but by arrangement urban roads may be also taken under the jurisdiction of county councils.

In all this legislation there is a marked tendency towards greater centralization of local administration. In each county the business is concentrated in the county council, and the tendency is that the county council shall be brought into much closer affiliation with the central government in Dublin.

#### HOW APPOINTMENTS ARE MADE

Probably the most widely contested change in the administration of local government made by the Free State government is in the manner in which the principal officials are appointed. In the old days each local authority could appoint pretty well anyone it pleased, but it was said that this power had been so greatly abused that it should be taken away, and that the appointments of the leading officials should be placed in the hands of a disinterested body similar to the civil service commissioners. Accordingly, by the Local Authorities (Officers and Employees) Act of 1926, there was established a local appointments commission, charged with the duty of selecting the persons to be appointed to the most important positions in local government service, and to make provision for the appointment of suitable persons to such positions. The act applies to the chief executive offices under the local authorities; to offices the qualifications for which are either wholly or partly professional or technical, and such other offices as may be declared to be offices to which the act applies.

The commissioners are empowered to prescribe generally, with the consent of the minister, the qualifications for all offices to which the act applies, including qualifications as to age, sex, character, education, training and experience. Wherever possible the selections are to be made by competitive examination, but the commissioners may dispense with the competitive examination, with the consent of the minister, where it is believed that the office cannot be

satisfactorily filled by such methods. The act also gives to local authorities, or to the minister for local government, powers to suspend, pending inquiry, any local official who may be thought to be unsatisfactory or who misconducts himself in the discharge of his official duties. In many ways this is the most radical piece of local government legislation yet passed in the Free State, as it is an absolute abandonment of the previous procedure and a reversal of the procedure adopted in Great Britain. Probably one of the outstanding features of the act is that character and experience will be given as prominent place in making appointments as ability to take a high place in a competitive examination; but this is just the point upon which much of the criticism directed against the system is founded.

That the act is not very popular with local authorities was proven by the report of the Select Committee set up in 1928 to inquire into the working of the act. The committee sought the opinions of 249 local bodies in the Free State but actually secured those of only 117. Of the 117 making replies no less than 90 were more or less opposed to the act.

#### COMBINED PURCHASING

By the terms of the Local Authorities (Combined Purchasing) Act of 1925, provision was made for the purchase of commodities needed by local authorities from contractors appointed officially. The idea underlying this act was that by large-scale purchasing and contracting the necessary requirements could be secured at the lowest possible price. This act has not been very successful, as under certain circumstances local authorities may make their own arrangements, and the consequence is that the scheme has never been the success that its sponsors hoped it would be. This act is in accord with the best practice in local authorities in other countries, and

it is notable that in the United States much has been done on similar lines by centralized purchasing agencies.

#### HOUSING

Under various housing acts much has been done to enable local authorities to improve the housing conditions in their respective areas. Under the Housing Act of 1925 grants were offered to individuals and public utility societies erecting houses according to its conditions, and grants were also offered for the reconstruction of houses. Grants were also made available for the erection of suitable self-contained flats; and the houses may be occupied by the owner, or let or sold to others. To qualify for the grant, houses had to be entirely new and contain no portion of any existing building beyond a party wall. An important feature of this act was that for 19 years following the erection of a house partial remission of rates might be granted, and the Housing Act of 1926 extended the period under which a grant might be paid. The Housing Act of 1931 enables local authorities to go much farther in housing schemes, and by its terms the housing problem in the Free State may be solved within the coming decade.

#### FROM COMMISSIONERS TO MANAGERS

The acceptance of the system of city managers has been one of the outstanding aspects of Free State local government. The city manager is not, of course, a discovery of the Irish Free State government; it has been in vogue in one form or another in many parts of Europe and the United States for very long periods. What may be confidently claimed for the city manager in the Free State is that he did not evolve from any acceptance of American or continental practice; but that he is the direct result of the experience of the commissioner system in Dublin and Cork.

Although ratepayers generally were



more than satisfied with the results of the administration of the two cities by commissioners there was always the certainty that there must be a return to democratic methods of local government. It was equally certain that there could be no return to the old system under which so much time, money, and energy were wasted. Between the two conflicting opinions, the Free State government had to discover something that would appeal equally to both and be satisfactory to all concerned. The method chosen was the election of a municipal council which would have only restricted powers, and the placing of the administration in the hands of a permanent city manager.

The beginning was made in Cork City in 1929. There the commissioner was retained as city manager with almost the same powers he had wielded in his capacity as city commissioner. The lord mayor of Cork in 1930, in expressing dissatisfaction with the conditions under the city council functioned said, "All that the elected council can do is to present the freedom of the city to distinguished strangers." But that the city council can do much more than that was demonstrated soon afterwards when it refused to consider the estimates for the year which had been prepared and presented by the city manager. The estimates were later accepted and passed, but it proved that the power of the elected council is ultimately in its control of finance.

#### GREATER DUBLIN

When the time came to restore the elective system to the Dublin corporation, the government had before it the experience of the restoration in Cork.

Since 1924 the administration of Dublin City had been in the hands of three commissioners, who had done much to make the system acceptable to ratepayers and the citizens generally. But in the opinion of the government the time had come to revert to elected councils and the commissioner had to go. The old Dublin corporation consisted of 80 members, elected on a register of all persons of 21 years old and upwards. The new municipal council consists of the lord mayor, six aldermen and twenty-nine councillors, of which thirty are directly elected on the municipal register and five from the special register of the business community. The office of town clerk was merged in that of the city manager, and the occupant of that office was appointed to be the first city manager and town clerk of "Greater Dublin." The area of the city was simultaneously enlarged by the absorption of the urban districts of Rathmines and Rathgar, Pembroke, and portions of the rural areas in the county.

In the past the powers of the council were supreme; in the future they will be strictly defined and controlled. The position of city manager is somewhat akin to that of a managing director of a company, with the council in the position of shareholders only.

The coastal boroughs were at the same time amalgamated into a single borough under the title of "The Borough of Dun Laoghaire," under the control of a city manager and an elected council of fifteen members. By the new legislation almost the entire metropolitan area of Dublin is now under the control of these two authorities, with two city managers directing the administration of the affairs of over 400,000 people.

# What Municipal Home Rule Means Today

## VIII. Nebraska's Three Home Rule Charters

COURTS have been generous in grants of power to home rule cities. Further spread of home rule charters awaits greater urban consciousness

BY JOHN P. SENNING

*University of Nebraska*

Even though the voters of the state ratified, in 1912, a constitutional amendment authorizing cities with a population of five thousand or more to adopt home rule charters, only Lincoln (1917), Omaha (1922), and Grand Island (1928) have availed themselves, after considerable delay, of the right. None of the remaining cities of sufficient population has even so much as considered the desirability of home rule.

The manner in which cities may adopt home rule charters and subsequently amend them is clearly set forth in the constitutional provision. (Art. XI, Sec. 2-4). The procedure is essentially as follows: a "convention of fifteen freeholders" shall frame a charter which must be "consistent with and subject to the constitution and laws of the state," and which shall be considered ratified when approved by "a majority of qualified electors" of the city "voting thereon." Should ratification fail, the same process as outlined for calling a charter convention may be repeated at stated intervals as long as there is ultimate hope of success. Once adopted a charter may subsequently be amended (a) by a charter convention called for the specific purpose either by the city council or upon petition of five per cent of the qualified voters, (b) by initiative petition submitted to the council, and (c) by a proposal originating with the council.

### LITTLE CHANGE IN H. R. CHARTERS

The first home rule charter submitted to the voters of Lincoln in 1916 was overwhelmingly defeated and in Omaha two successive efforts failed. The first charter convention in Omaha drafted a document which the voters viewed with suspicion because they could not recognize therein any resemblance to the old charter and, therefore, defeated it. The voters of Lincoln rejected their first charter for the same reason. But public sentiment for home rule in both Lincoln and Omaha proved sufficiently strong to warrant another attempt. A second convention met in each city as soon as a new election could be held. This time each city ratified its home rule charter. But "because of technicalities in the procedure" the ratification election in Omaha was nullified. Thus frustrated by two successive failures, Omaha carried its case to the state constitutional convention of 1920 and secured from that body an amendment to the home rule provision which permitted the electors of that city to determine by a majority vote the adoption of their legislative charter as a home rule charter. Under this provision Omaha became a home rule city on July 8, 1922.

The first charter conventions which met in Omaha and Lincoln attempted constructive charter drafting, but the defeat of their work at the hands of the



voters had a sobering effect upon their successors, as is well illustrated by the following ironical introduction to the Lincoln charter: "All that the Charter Convention has attempted to do in drafting the City Charter proposed herewith, is to submit to the voters the existing City Charter without any substantial departure from its provisions. . . . It has seemed desirable that no change be proposed at this time that could be used legitimately to confuse the issue." The Grand Island charter followed the precedent of Lincoln. Commenting on the completed work of the Grand Island charter convention, a local editor deplored the myopic vision of its delegates and protested their lack of courage. The editor, who had from the outset urged genuine modernization of the charter, concluded despondently, "the new charter will result only in giving the taxpayer of Grand Island a free hand in managing his own city affairs." Even so, independence was preferable to legislative domination from the state capital.

#### THE SCOPE OF HOME RULE POWER

The scope of power permissible under a home rule charter and the extent to which such charters must be consistent with and subject to the constitution and laws of the state have become questions for judicial interpretation. The recent adoption of home rule in Nebraska and the policy of caution pursued by the three cities, long accustomed to charters of enumerated powers, have resulted in but few cases for determination by the courts. Nevertheless, these cases clarify issues which are of fundamental importance to the cities which have freed themselves from legislative domination. The initial case (*Schroeder v. Zehrung*, 108 Neb. 375) decided a question which, though elementary, assumes importance to cities still in their trial stage under home rule charters. Does a home rule charter free a city from the binding force of the general law when the soul

and substance of its charter, with minor exceptions, have been borrowed from it? After answering that question in the affirmative the court further observed, "If a city, after having adopted a home rule charter, was still to be subject to all of the former provisions of the former legislative charters, there could be no object or purpose in adopting a home rule charter. . . ." Otherwise the decision did not go beyond asserting that a "city may enact and put into its charter any provisions for its government that it deems proper, so long as they do not run contrary to the constitution or any general statute."

A more significant question came up the same year in *Consumers Coal Co. v. City of Lincoln* (109 Neb. 57). Therein the supreme court was called upon to decide whether, in the absence of specific mention in the charter provision relating to public utilities, Lincoln could, by means of an ordinance, engage in the business of selling fuel to the public. The question was answered in the negative. The ordinance was based on a provision, borrowed from the legislative charter, authorizing the city to furnish the public with heat by means of gas and electricity, but specified no other means. In the opinion of the court other means of supplying heat were excluded. Applying the doctrine of strict construction to the language of the charter the court maintained that the right to establish a public fuel yard could not be implied from the word "heat" but indicated that what could not be done by ordinance could be accomplished by an amendment to the charter. Had Lincoln adopted the charter drafted by the first convention, the instant difficulty would have been avoided. It was within "The competency of the electorate of the city to adopt a charter in any form it may deem proper within the limits specified in the constitution" which might be in the "form of a *grant* or a *limitation*, of powers." The Lin-

coln charter clearly was of the former type, a grant as distinguished from a limitation of power. Hence, "it is to be construed according to the same rules as a legislative act containing the same provisions." The same year the court rendered this opinion, the electors of Lincoln ratified an amendment under which the city operates a coal yard. Several years later, as will be observed in another connection, the court completely ignored the doctrine laid down in the above case.

The fact that home rule charters must be subservient to the constitution and general laws acquires meaning only in so far as the courts define the border line between matters which are of municipal concern and those of state concern. While such considerations as public policy, local needs and expediency must invariably claim attention in every decision, yet, in the absence of a sure test, the court must consider each case separately as it arises and draw the line of demarcation.

#### DEGREE OF INDEPENDENCE OF STATE LEGISLATION

The purpose of the amendment, as the court explained in *Consumers Coal Co. v. City of Lincoln*, "is to render cities independent of state legislation as to all subjects which are of strictly municipal concern" and consequently "*as to such matters general laws applicable to cities yield to the charter.*" Five years passed before the supreme court had an opportunity to apply this principle. In *Salsburg v. Lincoln* (117 Neb. 465), and in *City of Lincoln v. State Auditor* (117 Neb. 301), both decided in 1928, the supreme court held that street improvements and the establishment of airports were matters of "strictly municipal concern." The latter case deserves special mention because it seems to modify, at least by implication, the strict construction idea elaborated in *Consumers Coal Co. v. City of Lincoln*.

The electors of Lincoln had approved a bond issue, by majority vote, in 1928, for a municipal airport, following the procedure prescribed by the charter in voting on public utility bonds, although a general statute of 1921, which enabled cities of all classes to issue airport bonds, sixty per cent of the vote cast was necessary for a bond issue. The auditor's office challenged the legality of the Lincoln bonds and the right under the home rule charter to set up a municipal airport. Adhering to the principle previously announced the court declared the "general statute requiring 60 per cent of the electors to carry a proposition for the purpose of acquiring and equipping a municipal aviation field. . . . does not prevail over conflicting provisions in the home rule charter. In authorizing such bonds upon a majority vote the home rule charter deals with *municipal affairs* alone and under the authorities cited makes the statute requiring more than a majority vote inapplicable to the city of Lincoln." This principle insures to home rule cities the freedom from legislative interference as was the intent of the constitution. The principle first announced as a general observation was here translated into a doctrine of major importance.

But while one question was put to rest, another of far reaching consequences was raised in the same opinion, wherein the court declared that, although the term "aviation field" did not occur among the enumerated powers, nevertheless, "an equipped aviation field is both a 'public service property' and a 'public utility' within the meaning of the home rule charter. . . ." Aside from the amendment added in 1922 to the public utilities section of the charter in order to permit merchandizing fuel, the charter provisions in question have remained unchanged. Consequently as future cases arise, it will be a matter of great moment to home rule cities whether the court follows the doctrine



of liberal or strict construction. Intimations of a more sympathetic understanding than that revealed in the Consumers Coal Co. opinion of the purpose of home rule were given in 1927 (*Sandell v. Omaha*, 115 Neb. 861), when the court declared "The trend of judicial pronouncement appears to sanction an enlargement of the powers of the municipality for self-government, within constitutional limits, rather than a curtailment of such powers. And this on the broad and reasonable assumption that the city, in the formation of its charter, knows better than the legislature how to anticipate and to enact needful city ordinances."

#### H. R. AND LEGISLATION IN REALM OF STATE AFFAIRS

Subsequent gains have been recorded by steadfast adherence to the doctrine that a home rule charter controls exclusively in the matter of municipal affairs. On the other hand, what of laws pertaining to state affairs? Does a home rule charter exclude local operation of such measures as well? What are state affairs as distinguished from municipal affairs? The questions were answered in *Carlsberg v. Metcalf* (120 Neb. 481). A general statute of 1929 authorized cities of the metropolitan class (Omaha) to maintain an urban university which the electors of the city approved and the council by ordinance established. The statute was immediately assailed on the ground that it contravened the home rule provision of the constitution. This led to a reëxamination of the nature and purpose of home rule, and to judicial determination as to whether education was a state or municipal function. On the one hand, the constitution limits and restricts the power to legislate in local affairs; on the other, it imposes a solemn duty on the legislature to provide a system of free schools as well as to prescribe a program of education. Therefore, education is not only "pre-

eminently a state affair" but "in such matters the state is" also "a unit and the legislature the source of power," and "whether the authority over schools. . . shall be exercised by a state board of education. . . or be distributed to city organizations throughout the state" is within the discretion of the legislature. As to the constitutionality of the measure, the court said: "The constitutional provision by which certain cities may adopt home rule charters does not render invalid legislation which provides that such a city may establish and maintain a municipal university. In accepting the privilege conferred upon it by such legislation the city, in providing said educational institution, acts as a political subdivision of the state in a matter of *state concern*. It acts very much in the same manner as it does in the maintenance of a police department and other matters unquestionably of state concern."

#### H. R. CHARTER MAY LIMIT POWER

By virtue of the blanket grant of constitutional home rule, and the singular silence of the constitution as to cities generally, save that of incorporation by general laws, a home rule charter may take the form of either a grant or a limitation of power. The choice rests with the community. Obviously, home rule does not empower any community to set aside a superior statute applying to the state at large, but in its own sphere a city may conduct its local affairs without hindrance from the state. The task of defining the constitutional grant and the scope of power of home rule charters devolves upon the court. While the courts have enforced the strictures imposed upon a city by a home rule charter of enumerated powers, they have done so in accordance with the Jeffersonian precept that government derives its just powers from the consent of the governed. The efficacy of home rule, in this enlarged sense, is already well

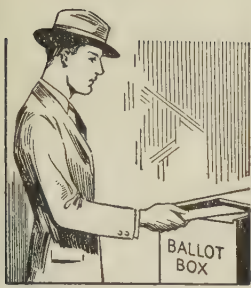
demonstrated. Whenever a public improvement seems desirable and the charter fails to provide the power for the undertaking, resort to the amending power invariably supplies the sanction necessary. More than two-thirds of the amendments submitted in Lincoln and Omaha have been ratified by the voters of the respective cities. Requests for greater freedom of action and larger discretion have been granted to the governing authorities for setting up districts for improving streets, zoning, ornamental lighting, and beautifying the cities.

Whether the progress made would have been as great, and whether the same generous power would have been conferred upon the city council under a legislative charter may be questioned, although grants of power, when requested by Omaha and Lincoln, have seldom been refused. But every demand for a grant involved log-rolling, compromise and delay, because the local problems, of Omaha particularly, presented complications unknown to the large group of legislators from the less populous regions of the state. Whether, as the demand of state-wide control becomes greater, the state affairs doctrine will come to encroach upon the powers

of home rule communities is problematical. The interest of the whole state undoubtedly will take precedence over that of a local unit. Neither term, municipal affairs or state affairs, is a fixed quantity. Local experimentation by trial and error may not always rise to heights of sound policy but as long as the responsibility for entering upon these experiments rests upon the community, more consistent progress may be possible than when permission must be exacted from a political body far removed from those whose interests are at stake.

That only three cities, out of a possible total of seventeen, have taken advantage of home rule seems deplorable. As a matter of fact, Omaha, Lincoln and Grand Island have a trifle over one-third of the total urban population of the state. In a comparatively new and sparsely populated state there is as yet little home rule awareness. Only in so far as cities have grown in population and have developed a sense of solidarity of interest, have they turned to home rule. The progress of home rule in Nebraska strikingly illustrates this fact. The future success of home rule in Nebraska seems to depend upon the growth of an urban consciousness.





# PROPORTIONAL REPRESENTATION

EDITED BY GEORGE H. HALLETT, JR.

## Continuing the Proportional Representation Review

**P. R. Saves Germany from Extremist Control.**—Once again Germany's proportional method of election, which guarantees full representation to the smaller moderate parties, has prevented an ultra-conservative landslide. Press dispatches make it clear that Adolf Hitler's National Socialist party polled less than 38 per cent of the votes in the Reichstag elections of July 31 and that all the parties of the Right together (the National Socialist, Nationalist, People's, and Economic parties) fell considerably short of a popular majority. Yet so far did the National Socialist vote out-distance that of any other one party and so generally was it distributed over the country that a plurality election method could hardly have failed to give the party a large working majority in the Reichstag, just as the plurality method gave the Conservative party in England a majority on the basis of a 40 per cent vote in two recent elections of the House of Commons. It is interesting to speculate what might have happened to Germany and to the world if the German people had been so misrepresented. As it is, the "Nazis" will have the large influence to which their numbers entitle them, but will not be able to force any parliamentary action which cannot command the concurrence of some more moderate group.

On at least one previous occasion the life of democracy in Germany has been saved by the full representation of moderate opinion. In fact there is noticeable in German foreign and domestic affairs, ever since the establishment of proportional representation at the close of the war, a continuity of policy on moderate lines which contrasts strikingly with the shifts and landslides of countries like

Britain and France which still give all the representation in each district to the largest single party.

One of the most usual charges against P. R., that it tends to multiply parties, was amusingly belied by this election as it has been on many occasions before. In the last Reichstag<sup>1</sup> there were eleven parties with more than ten members each. In the new one there will be only six. Three parties of long standing, the People's, the State (the old Democratic), and the Economic, almost disappeared altogether. Proportional representation reflects accurately any new surge of opinion, but other things being equal voters naturally gravitate to the larger and more powerful groups.

Press reports do not agree exactly on the outcome, but the figures below appear to be substantially correct. With minor disqualifications applying to the smallest parties, the German election law gives each party one seat in the Reichstag for every 60,000 votes it polls. The approximate vote of each party can therefore be ascertained by multiplying its number of members by 60,000.

<sup>1</sup>Brief accounts of previous Reichstag elections, bringing out the significance of P. R., will be found in the October, 1930 and earlier issues of the *Proportional Representation Review*. The former editors of the *P. R. Review* wish to take this occasion to acknowledge their error in taking issue with James K. Pollock, Jr., in the article on Germany published in January, 1929. Professor Pollock has made it clear that he was actually in agreement with the attitude of the *Review* and that the apparent disagreement was due to a misinterpretation of his published remarks.

Parties	New Reichstag	Outgoing Reichstag
Right	(276)	(199)
National Socialist	230	107
Nationalist	37	41
People's	7	28
Economic	2	23
Center	(109)	(158)
Center (Catholic)	76	69
Bavarian People's	21	18
Christian Socialist	4	14
State	2	22
Agricultural groups	6	26
Others	—	9
Left	(222)	(220)
Socialist	133	143
Communist	89	77
	—	—
Total	607	577

About 85 per cent of all those qualified to vote participated.

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**Spain Too Turns To P. R.**—The draft of a new electoral law for the Spanish Republic introduced by the government in March, 1932, provides a complete scheme of proportional representation, including parliamentary elections. The system prescribed is a party list system of P. R. closely resembling the one used for elections of the German Reichstag.

The proportional principle was also recognized in the new Spanish constitution, decreed by the constituent assembly on December 9, 1931. The constitution creates a permanent deputation of not more than twenty-one members to act for the single-chamber parliament when it is not in session (1) in passing on cases of suspension of constitutional guarantees by the government, (2) in approving or disapproving presidential emergency decrees (a two-thirds vote being required for approval), (3) in cases of arrest or legal action against deputies, and (4) in any other matters referred to it by parliament. The permanent deputation must "represent the different political elements in proportion to their numerical strength." This provision is the closest approach so far to an adoption of an important provision of the *Model State Constitution* of the National Municipal League, which was probably unknown to the framers of the Spanish constitution. The model constitution, which also provides for a single-chamber legislature elected by P. R., sets up

a sort of permanent steering committee called a legislative council, the council to be chosen by the legislature from its own number by proportional representation.

The adoption of P. R. by Spain, following its re-adoption by Greece in May of this year, will leave France, Italy, Jugo-Slavia, Roumania, Turkey, Albania, and Soviet Russia as the only important European countries which do not elect at least a part of their parliaments on a proportional basis. Among the countries which elect their entire parliaments by P. R. are the Irish Free State, Germany, Austria, Czecho-Slovakia, Switzerland, Belgium (where it has been in force for 32 years), the Netherlands, Denmark, Norway, Sweden, Finland, Esthonia, Latvia, and Lithuania.

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**P. R. Considered for the League of Nations.**—We learn from the report of the British Proportional Representation Society for the year May, 1931 to April, 1932 that P. R. is again under consideration for the elections of the non-permanent members of the League of Nations Council. For some years these elections have caused dissatisfaction because, under the present plurality block vote, a slate is regularly formed in advance and put through entire. It has been charged that these slates leave something to be desired in representative character.

In 1926 the Norwegian government proposed that the members of the assembly, in electing their representatives on the council, should use the Hare system of proportional representation (the form of P. R. that is used in Cincinnati and elsewhere in this country and in all elections in the Irish Free State). The proposal was referred to the sixth committee of the assembly, which did not think the time opportune for a change because a new scheme of election had only recently been adopted. It recommended in its report, approved by the assembly in 1927, "that the documentation which has been collected on the subject should be reserved for future study," and gave its opinion that if a change in the method of elections should in the future appear desirable "the study which has taken place of the system of the single transferable vote [Hare system] would prove to have been of great value."

"In September, 1931, (quoting from the



British P. R. Society's report) Lord Cecil again voiced the dissatisfaction attending elections to the Council, and on his proposal the Council of the League, in January, 1932, approved the appointment of a special committee consisting of the representatives of fifteen nations to study the existing system of elections to the Council, and to report 'on any reforms which may appear desirable.'

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**P. R. a Success in Malta.**—Valuable testimony to the good working of [the Hare system of] P. R. in Malta is contained in the report of the Malta Royal Commission, 1931 (Cmd. 3993, 1932). The commission was appointed to enquire into the constitutional difficulties that had arisen, and P. R. was not one of the main issues before it. Nevertheless, evidence on the electoral system was given by leading men of the different political parties, and that evidence was without exception favorable to the continued use of the system. Lord Strickland, the prime minister, said: "I find proportional representation excellent in Malta. . . . It is the only system possible." Mr. Robert Hamilton, a leading member of the Constitutional party, after commenting on the ease with which even illiterate voters used the transferable vote, said: "The people are used to it and like it, and it is a thing which should not on any account be done away with in Malta." Sir Ugo Mifsud, leader of the National party, a former prime minister, also expressed the desire that there should be no change in respect of the electoral system; and Dr. Boffa, leader of the Labour party, asked that the system should be made one of the reserved subjects in the constitution. —*Report for the Year May, 1931-April, 1932 of the Proportional Representation Society of Great Britain.*

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**P. R. to the Fore in South Australia.**—The following is quoted from a recent letter from Mrs. Jeanne F. Young, for over thirty years honorary secretary of the Proportional Representation League of South Australia and recently, in spite of blindness and advancing age, organizer and president of the Proportional Representation Group, which has been working actively and effectively for the Hare system of P. R. since 1930. The Group consists of seven organizations which have P. R. on their programs—the important

Australian Natives' Association, the Country party (Men's and Women's Branches), the Henry George League, the P. R. League, the W. C. T. U., and the Women's Non-Party Association.

News received from Adelaide this week is very hopeful. The Labour Premier, who divided his party last year by supporting the so-called Premier's Plan to reduce the cost of government and interest on loans, has at last consented to receive a deputation from all of the societies in the Group, as well as from the Group itself. Incidentally I have also heard that he was reported by the press to have determined to introduce P. R. into the House.

If he should do so, there is every probability of it being carried. The Labour party is very much divided on most questions, and without P. R. at the election which is due next year Mr. Hill and his Ministers will stand no chance of independent election, for they will not be chosen in the pre-selection ballots [unofficial party primaries], one of the greatest curses of the majority systems of voting.

Our see-saw in politics to which we have become accustomed in Australia, a condition due entirely to defective electoral machinery, makes it almost certain that Labour will be defeated by a good majority in 1933 as it was elected by a big majority of seats in 1930 although it received only a minority of votes in the country.

On that account the so-called Liberal party has made another compact with the Country party so that there will be no split votes. The Country party is, however, a prominent member of our P. R. Group. This fact may force Mr. Hill on to P. R., which alone can save his section of Labour from annihilation.

The other organizations in the Group are extremely strong on P. R. The annual conference of the Australian Natives' Association has just carried a resolution urging all branches in all states to make P. R. an intensive campaign at all elections. Since the Group was formed several women's organizations throughout Australia have supported P. R. and are doing excellent propaganda work for the reform. A Citizens' Federation is working in Perth for P. R. and a new Non-Party Association has been formed in Queensland, with P. R. in the forefront of its programme. . . . I am hoping that we may be able to establish groups of societies in all states to push the reform, especially for the Federal Parliament.

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**Australian Election Contrasts.**—The need of P. R. for federal elections in Australia was well exemplified by the elections of last year, held under preferential majority systems with no provision for minority representation. In the elections of the house of representatives the

United Australia party elected 54 per cent of the members (38 out of 71) on the strength of a 44 per cent vote. In the elections of the senate the United Australia party and the Country party combined and won 15 seats out of 18 with only 55 per cent of the voters behind them. The outgoing Labour government secured its three seats in the senate by a scant 3 per cent margin in Queensland. But for this piece of good fortune there would have been no representation of the minority, as in 1925. The last two federal elections have been characterized by violent swings of the pendulum and wholesale defeats of cabinet ministers, including in the first case the outgoing prime minister himself.

In Tasmania a provincial election was also held last year—the ninth under the Hare system of proportional representation since the system was adopted in 1907. In the commonwealth elections the Labour party failed to obtain a single Tasmanian seat, but in the provincial elections, thanks to P. R., it secured ten seats out of thirty. Majority and minority both secured representation in every district.

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**Local Elections in New Zealand.**—The issue of *Board and Council*, an Auckland, N.Z., periodical, for May 27, 1931, gives a rather extended discussion of certain aspects of the proportional representation counts in recent local government elections in that country. The Hare system of P. R. has been optional for local elections in New Zealand since 1914 and is used notably in the city of Christchurch, where it was adopted first in 1917, voted out by the council in 1919, re-adopted in 1920, voted out again between the elections of 1923 and 1925, and finally re-adopted between the elections of 1927 and 1929. *Board and Council* mentions proportional counts for the members of the Lyttelton

Harbor Board and of the North Canterbury Hospital Board, not previously recorded in this country as being elected by P. R. The proportional method has also been adopted for the town councils of Westport and Runanga.

The returning officer for the last election of the Christchurch council, to which sixteen members are elected together from the city at large, is quoted as referring to the absolute accuracy of counting forced by the proportional method. The transfers of ballots which would otherwise have been wasted on hopeless candidates or candidates with more than the required quota proved significant, four of the candidates who stood among the first sixteen on first choices being displaced in the final standing. The percentage of invalid ballots was 5.2, about the same as in Cleveland and Cincinnati. In 1927, when a novel method of voting a majority ballot was tried, the percentage spoiled was 17.7.

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**The Annual P. R. Dinner, Washington, September 21.**—The annual dinner and meeting of the Proportional Representation League will be held this year as usual as part of the National Conference on Government. It will be held at the Willard Hotel in Washington the final evening of the conference, September 21, at 6:30. A significant program is being arranged and will be sent to all members and inquirers.

This will be the first meeting of the P. R. League since the consolidation of its work with that of the National Municipal League. A brief report of the progress of the work under the new arrangements will be made by the League's Executive Secretary.

The meeting is open to non-members. Reservations may be made through the P. R. League or the National Municipal League, 309 East 34th Street, New York City.





## RECENT BOOKS REVIEWED

**THE MANAGEMENT OF SMALL MUNICIPAL LIGHT PLANTS.** By Frederick L. Bird. New York: Municipal Administration Service, 1932. 145 pp. Cloth \$1.50; paper \$1.00.

This study of the management of small municipal lighting plants includes not only a discussion of their organization and control and of the duties and qualifications of plant managers but also takes up the major problems which confront those responsible for the management. Realizing the danger in any selected list of municipal plants, the author has used as illustrative material the fifty-one municipal electric plants of the state of New York. In his analysis of the results of their operations, based not only on a study of the figures available at Albany but also on conferences with plant managers and other local officials, Mr. Bird's attitude is sympathetic but critical. In his chapter on rates and in that on record keeping and reporting, the emphasis is on the opportunity and need for improvement in the case of the great majority of municipal plants. The high standards set by a few of the leaders in these respects are quoted as examples of what can be done.

Any manager of a municipal lighting plant or member of a municipal lighting board who is not dead from the neck up will find it worth while to read this book through from cover to cover. It is inevitable that any man connected with the management of municipal plants should constantly compare what his plant is doing with the policies and results discussed by Mr. Bird. And his plant cannot help profiting thereby.

The general student of public utility questions will perhaps find the tables and the analysis of the results of municipal operation in New York the most interesting part of the book. The Jamestown plant is of course outstanding but the records of some of the other

plants are such as to give the management of private utility companies food for thought. To an even greater extent than in Massachusetts it is common practice to milk the municipal plants for the benefit of the taxpayers.

This book is convincing evidence that municipal operation "is deserving of more attention at least as a direct and forthright means of regulation."

CHARLES H. PORTER.

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**STATE CENTRALIZATION IN NORTH CAROLINA.**

Edited by Paul V. Betters. Washington: The Brookings Institution, 1932. xi, 261 pp. \$2.00.

This volume has been prepared to meet the demand for information concerning the sweeping governmental changes made in North Carolina in 1931. The most striking elements of this program are discussed, in the several chapters, by experts in the employ of the state. Dr. Betters, as editor, has added introductory and concluding statements.

In the chapter on education, the 1931 law is presented as the latest step in a program of adequate fiscal support. By it the state government assumed complete responsibility for the financing of a minimum term of six months of school in every district in the state according to standards fixed by the state. If any district desires a longer term it may by taxing itself provide for such extension.

The chapter on the highway system was prepared by Charles Ross, general counsel of the state highway commission. Under the recent act, 45,000 miles of county, township, and other local roads were transferred from local to state jurisdiction for purposes of construction and maintenance.

In the story of the steps taken by the state government to supervise local finance is packed into small compass a summary of far-reaching

legislation passed since 1925 largely upon the recommendation of the Commission to Study County Government. North Carolina has probably gone further in the direction of correcting abuses of power and the effects of official ignorance in local government than has any other state.

The provision of adequate taxes to finance this enormous new program of state activity has been a difficult task. How it was approached and the success which has been so far attained are outlined in a chapter on taxation and the revenue system by Dr. Fred W. Morrison, director of the research department of the State Tax Commission.

The text closes with a chapter by Dr. Betters on state administrative reorganization. Here are summarized the partial results obtained at the 1931 session from a report prepared by the Brookings Institution for the governor in 1930, outlining the need for comprehensive reorganization. The principal items of success related to the creation of a centralized purchasing agency, and of a personnel agency, both in the governor's office, and the consolidation of the state institutions of higher education.

HARVEY WALKER.

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THE VALUATION OF VACANT LAND IN SUBURBAN AREAS. Chicago Area. By Herbert S. Simpson and John E. Burton. Chicago: The Institute for Economic Research, 1931. Monograph No. 2. 56 pp. \$1.00.

The report presents the results of a study of vacant lands in Cook County—the suburban and rural periphery of Chicago. The study was made at the request of the Truck Gardeners and Farmers' Association of the county and with the aid of funds appropriated by it.

The authors have evolved a new scientific method of valuation of the vacant suburban lands. This method involves the treatment of the suburban area as a whole and the computation of basic land values which may be applied to specific sections of the territory and modified in the light of the conditions obtaining in them. It involves the determination of the following factors: 1. The number of acres, in the territory, available for urban and suburban use (as distinguished from the number of acres of land occupied by streams, roads, cemeteries, parks and unavailable for

this purpose) and the number among them that are vacant land, subdivided into lots or still in the "acreage" stage. 2. The probable growth of population in the area during the next, say, thirty years. 3. The ratio of the prospective population to the usable area; that is the amount of land likely to be purchased for the erection of residential and other buildings within the next thirty years or so. 4. The value which land may be expected to have under a given character and degree of urbanization, when it attains these conditions of urbanization. 5. The costs that would need to be incurred in developing land for urban utilization and in carrying it until utilized. 6. The income, if any, to be obtained from the present agricultural or other utilization of the land during the period in question, which must be deducted from the costs. 7. The present worth of all these future elements of costs and value. 8. Finally, the actuarial probability of each vacant acre in the area becoming one of the fortunate acres that will be absorbed for urban and suburban use, within the specified period.

Using this method of computation the investigators have arrived at the following figures: 330,972 acres of land in the county available for urban and suburban absorption, of which only 81,652, or 24.4 per cent, will probably be absorbed by 1960; an average investment period of 16 years; a future selling price of \$15,745 per acre which, after deduction of investment and selling costs, would yield the sellers \$5,606 per acre, the present worth of which would be \$2,207. This amount would represent, on the basis of a 24.4 per cent chance of absorption of the land, an average present value of an acre of vacant land in the county of \$538. Similar computations, resulting, however, in higher or lower valuations than the above, are made for certain sections of the county characterized by a more rapid or less rapid growth of population and a greater probability or a lesser one, of land absorption, than the average for the county as a whole.

The suggested method of valuation holds considerable promise and is worthy of study and experimentation. The report is exceptionally well written. A technical problem has been presented in an interesting manner.

PAUL STUDENSKI.



## REPORTS OF PAMPHLETS RECEIVED

EDITED BY EDNA TRULL

*Municipal Administration Service*

**Bail Administration in the Cincinnati Regions.**—R. M. Hoisington. Cincinnati Crime Committee in coöperation with Cincinnati Bureau of Governmental Research, Cincinnati, 1932. 52 pp. This report, the sixth study of criminal justice in Cincinnati, describes the policies governing the administration of the bail laws in municipal and common pleas courts in Ohio, a municipal and circuit court in Kentucky and federal courts in the region. The use of bail is discussed, and bond forfeitures and judgments on these. Examination of the effectiveness of the practices leads to recommendations for improving customary procedure. Among these are the increased use of release of defendants on their own recognizance, judgment for the full amount of bonds, the setting of original bail amounts on the basis of characteristics of the person involved as well as the offense charged, the recording of non-professional bond sureties for purposes of regulation, and legislation in Kentucky requiring the filing of notices of bail bonds and making such notices liens against the property securing the bonds. (Apply to Cincinnati Bureau of Governmental Research, 914 Main Street, Cincinnati, Ohio.)

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**Salaries and Conditions of Employment of Police Forces in 245 Cities in the United States and Canada.**—David Wolff. Municipal Administration Service, 1932. 22 pp. As a purely statistical study this bulletin presents material collected since January of this year. In tabular form are given the data on the number and salaries of variously classified members of the police forces, the method of selection, training and promotion, the hours on duty, vacation and sick leaves, clothing allowance and pension systems. (Apply to Municipal Administration Service, 309 East 34th Street, New York. Price 35 cents.)

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**Pension and Retirement Plans for Virginia Cities.**—Rowland A. Egger. League of Virginia Municipalities, Richmond, 1932. 25 pp. In the light of his study of pension plans, Dr. Egger here presents pension plans adaptable to Virginia municipalities. After brief explanation, the proposed ordinance, covering three alternative proposals, is given. (Apply

to Bureau of Public Administration, League of Virginia Municipalities, Travelers Building, Richmond.)

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**Guide for the Planning of Elementary School Buildings.**—National Council on Schoolhouse Construction, Milwaukee, 1932. 12 pp. Suggestions for classrooms, corridors, stairways and exits are given in this first publication of the National Council on Schoolhouse Construction, a voluntary association of persons with a professional interest in bettering the physical conditions of school buildings. Additional standards are in preparation and will also be published in accordance with the purpose of the organization which includes "the establishment of reasonable standards for school buildings and equipment, with due regard for economy of expenditure, dignity of design, utility of space, healthful conditions, and safety of human life." (Apply to National Council on Schoolhouse Construction, 524 North Milwaukee Street, Milwaukee, Wisconsin.)

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**Manual of Public Works Records and Administrative Practice, as Installed in Troy, New York.**—Committee of Uniform Street and Sanitation Records and the New York State Conference of Mayors and Other Municipal Officials, Chicago, 1932. 102 pp. The Committee installation of public works records, suited to cities ranging from 50,000 to 200,000 population, was made in Troy, New York, upon arrangement of the New York State Conference of Mayors and other Municipal Officials. The manual includes and explains forms for handling labor, materials and supplies and equipment used in public works, and indicates methods of effective control for them. A complete work program is given with a budget system and the means of continuous financial control by the general city accounting system. (Apply to Committee on Uniform Street and Sanitation Records, 923 East 60th Street, Chicago. Price \$1.00.)

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**How Police Departments are Headed.**—Schenectady Bureau of Municipal Research, Schenectady, 1932. chart. In order to help solve a difficult local problem as to the distri-

bution of power between police chief and commissioner, the Bureau of Municipal Research undertook to secure information and opinions on the systems used in other cities. Data on the selection and removal of police heads, secured from one hundred and twenty-four cities including all those over 80,000 population are presented in chart form. (Apply to Schenectady Bureau of Municipal Research, Proctor's Arcade, Schenectady, New York.)

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**Natural Gas Franchise Provisions.—**

League of Minnesota Municipalities, Minneapolis, 1932. 8 pp. The extension of gas pipe lines has raised seriously the problem of franchise provisions for cities where this has previously presented no problem. A special committee of the Minnesota League here presents suggestions including a proposed gas franchise ordinance. (Apply to League of Minnesota Municipalities, University Library, Minneapolis.)

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**Plans for City Police Jails and Village Lockups.—**Hastings H. Hart. Russell Sage Foundation, New York, 1932. 27 pp. The problem of the detention of municipal prisoners has so generally been neglected that suitable plans for city jails and village lockups are welcome. In this volume actual plans are presented, with brief descriptive material for the public safety building of a large city, a police station for a city of about 100,000 population, and one for a city up to 25,000 population. Considerable emphasis is placed on a two or four-cell lockup of fireproof construction for the small village. (Apply to Russell Sage Foundation, 130 East 22nd Street, New York. Price \$1.50.)

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**Civic Pittsburgh.—**J. C. Slippy.—Pittsburgh, 1932. 22 pp. The subtitle "Facts and Figures About Your Business" explains the subject matter. In this, the fifth edition of his pamphlet, Mr. Slippy gives essential data on the three governmental units of Pittsburgh, the city, the school district and Allegheny County. Primary emphasis is given to administrative organization and finances, with diagrams, graphs and tables to illustrate. Believing that "citizenship is effective only as it demands all the facts" the author presents them in clear, concise form to his fellow citizens. (Apply to J. C. Slippy, Pittsburgh, Pennsylvania.)

**Library Salaries.—**American Library Association, Chicago, 1932. 42 pp. The June issue of the Bulletin of the American Library Association is devoted to discussion and to presentation of the salaries paid to librarians throughout the United States. The statistical data are given for public libraries in cities by four population groups, and for school and university libraries falling in four classifications. Always of interest, compilations of salary statistics are of particular value when the personal service items are bearing so much of the brunt of the budget slashing. (Apply to American Library Association, 520 North Michigan Avenue, Chicago.)

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**State Legislation for Unemployment Relief.—**

Rowland Haynes.—The President's Organization on Unemployment Relief, Washington, D. C., 1932. 74 pp. The author has summarized the legislation passed by the states between January 1, 1931 and May 31, 1932 in aid of local financing of unemployment relief. The text of the laws of New York, New Jersey, Rhode Island, Illinois, Wisconsin, Ohio and Pennsylvania are given as well as pertinent court decisions in three of these states. In summary the measures are compared on the basis of where the money comes from, who administers it from the view of both state and local governments, the powers of the state agency, method of allocating the funds, what they are spent for, and the extent of the aid both in time and money. (Apply to United States Department of Commerce, Washington, D. C.)

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**The Sanitation Rating of Municipal Milk Supplies in Minnesota.—**

P. R. Carter.—League of Minnesota Municipalities, 1932. 8 pp. A sanitarian of the Minnesota Department of Health sets forth the basis on which the Department makes its ratings of municipal milk supplies. The results of the 1931 survey of cities and villages from 2,000-5,000 population are given in diagrams, showing the percentage of compliance with the standard conditions promulgated by the United States Public Health Service. Inasmuch as the communities of this size average less than thirty-five per cent compliance and only one is better than fifty per cent toward safe production and pasteurization of all of its milk supply, the state survey work is of considerable value. (Apply to League of Minnesota Municipalities, University Library, Minneapolis.)





# MUNICIPAL ACTIVITIES ABROAD

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EDITED BY ROWLAND A. EGGER

*Virginia Bureau of Public Administration*

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## THE LONDON CONGRESS AND AFTER

BY MORTON L. WALLERSTEIN

THE United States was officially represented for the first time at the meeting of the International Congress of Local Authorities which held its triennial session in London during May of this year. The delegation appointed by the Department of State of the United States, included the following:

Louis Brownlow, director of the Public Administration Clearing House, *Chairman*; Paul Betters, executive secretary of the American Municipal Association, *Secretary*; Guy Moffett, director of the Spelman Fund; Luther Gulick, director of the Institute of Public Administration; Harold D. Smith, director of the Michigan Municipal League; Samuel Baker, secretary of the Union of Canadian Municipalities; Samuel C. May of the University of Southern California; A. E. Buck of the Institute of Public Administration; J. H. Knisely, secretary of the Pennsylvania Borough Association; John Nolen, City Planner; Donald C. Stone, research director, International City Managers' Association; Morton L. Wallerstein, executive secretary of the League of Virginia Municipalities.

The Congress devoted three days to a discussion of two problems concerning which printed reports had previously been received from the various countries. One was "The Practical Working of Local Authorities" and the other was "Training of Local Government Officials." The reports for the United States were prepared under the auspices of the Public Administration Clearing House by Arnold Miles, Harvey Walker and Luther Gulick. Those in attendance at the Congress, aside from information culled from illuminating dis-

cussions of these problems, received two very definite impressions. One was that there is little difference between the present day problems of Alexandria, Egypt, and Alexandria, Virginia, or any other cities. For this reason the development of this international organization serving local governments can result in an interchange of information of great value. The other impression was that a greater international accord among nations would be promoted by frequent contacts among those interested in municipal government, such as the Congress and a strong international organization would provide.

Upon the adjournment of the Congress, and following incidental trips near London, six of our delegation, Brownlow, Moffett, Betters and three of the municipal league secretaries, Smith, Knisely and Wallerstein, spent a month in making a rather thorough, although necessarily brief, inspection and study of the organization of cities and of municipal officials in England, Holland, Germany, Czecho-Slovakia, Austria, Switzerland, France and Belgium. Wherever time permitted, an examination in the various cities of some of their governmental operations was made.

### INFLUENTIAL MUNICIPAL ORGANIZATIONS

In our visit to the organizations of cities, we learned that the municipal leagues abroad have developed to a point where both the national and state governments constantly consult them with regard to legislation and governmental policies relying upon the greater knowledge of these organizations, with the result not only of securing better and more sci-

entific legislation and other help in local problems, but also of preventing ill feeling flowing from legislative fights. In addition to this, on the governmental commissions of nearly all of the countries, representation is had from the organization of cities wherever municipal problems are involved. We were also impressed with the size and activity of these organizations, many of them owning large buildings, with large staffs of lawyers, engineers, economists, publicity representatives, and the like, all well trained and expert, thereby furnishing services which justify a liberal expenditure toward their support from the member cities. In fact, almost universally, the municipalities willingly contribute proportionate amounts annually assessed by the governing boards of the unions of cities for their annual needs.

In Holland, for instance, with a population of eight million—less than some of our states—there are 1077 communes of which 96 per cent are members of the Association of Dutch Municipalities of which Dr. Jonker is director. The Association publishes two municipal papers—a weekly and a monthly. It contracts with insurance companies affording advantageous rates for the member communes. It furnishes accounting and auditing for its members, sets up record and filing systems for communes, and furnishes engineering advice. Most interesting is the organization's present task of planning the administration of Holland's newly reclaimed territory from the sea, the province of Zuidersee. The Association has a large staff housed in its own four-story building, admirably furnished.

Then in London there is the National Association of Local Government Officials—called Nalgo—which was originally started for purposes of securing proper pension and superannuation legislation which it still administers, but today, its most important policy according to its director, Mr. Hill, is its education program with its correspondence courses and the school at Cambridge for its 60,000 member local officials. Thus, through Nalgo the local officials have themselves built the requirement that the recruit to the public service must measure up to a certain standard and continue to develop through training, both culturally and technically.

In Germany, the *Deutsche Städtetag*, the league of the largest cities, of which Dr. Mulert is chief executive, owns its own com-

modious building and is amply staffed by experts in every line. Besides this are the association of the smaller villages and counties, the *Landkreisetag*, of which Mr. von Stemple is the head; the association of smaller cities, the *Landgemeindetag*, of which Mr. Schillen is director; and the association of larger cities, the *Reichstadtebund*, of which Dr. Vogt is the vice president.

The French Union of Towns, of which M. Sellier is the president, acts as secretariat for the Annual Conference of Mayors which meets once a year in Paris. It began in 1913 and was reorganized after the war in 1921. It endeavors to serve only the larger towns. The discussions of problems are always held at the mayors' meeting, the Union of Towns maintaining a library, information service, research service, and publishing five magazines. It, too, has a large budget. Much of its technical aid is furnished by officials of the city of Paris to whom a very moderate fee is paid for their work. The city of Paris is very liberal in its contributions to the Union, and also gives the Union a building together with their light and heat. The French Union actively coöperates with the International Union of Local Authorities in Brussels, makes a substantial contribution to that organization, and in turn receives very valuable services. The French Union of Towns is also active in furnishing technical advisers who go to various member towns and give them the benefit of their suggestions at a moderate cost.

All of these associations have annual budgets of from sixty to one hundred thousand dollars, have staffs of experts in the field of finance, schools, welfare, politics and economics. All do field work, and coöperate with the central government. As an instance of their size, the *Deutsche Städtetag* in addition to the president and the five heads of departments employs at its headquarters nineteen other people.

#### THE INTERNATIONAL UNION

The delegation terminated the trip with a visit to the headquarters of the International Union of Local Authorities in Brussels. Senator Wiebaut of Amsterdam, who is president of the International Union and who presided at the Congress in London, did our delegation the honor of coming from his home in Amsterdam to Brussels in order to receive us.

With him and Senator Vinck of Belgium, the secretary of the Union, the delegation spent a most instructive day. The International Union of Local Authorities had its origin in a meeting in 1912 of a few of the Burgomasters from several countries who met for an interchange of ideas. They formed what was then known as the International Union of Towns. The work of that association was seriously interrupted by the World War. In 1924, however, it was revived with the idea of organizing the Union with membership held by associations of municipalities rather than the municipalities themselves. This continues to be the basis of membership. It was then agreed that the Union should collect information for designated subjects for study, make particular studies when requested, and endeavor to arrange for publishing the completed studies. It shares its quarters with the Belgian Union of Towns in a building whose use is donated by Belgium. Although it has an absurdly low budget, through the association with the Belgian Union it is enabled to have the services of a staff of eight. It is likewise extremely fortunate in having the staff of the unions of cities in Germany, France, Holland and England take over part of the work.

The primary difficulty of the organization, like all international organizations, is one of language, as everything that it publishes should, in order to reach the members, be published in at least six languages. The International Union apparently is building up a valuable collection of well indexed documents. One of its chief difficulties has been to secure men on its limited budget to make the necessary synopses of worth while information that comes into the office. Membership in the International Union, as stated, is held by national organizations of cities selected by the national government. Membership in the United States is held by the American Municipal Association, the national association of state municipal leagues. The Union has also done some work at the request of the League of Nations, a specific example being "Coöperation for Traffic Rules" which Dr. Schultheis of Switzerland undertook to prepare for the Union. It was in turn adopted by the League of Nations.

At the present time it is apparent that the International Union of Local Authorities has revenue adequate only to carry its present overhead. Any extra contribution would, ac-

cording to the officials of the organization, mean a definite expansion of the much needed work. Senator Vinck, its secretary, pointed out that the *Deutsche Städtetag* in its present state of unquestioned efficiency is the result of only twenty years existence. One would therefore rather hesitate to envision the International Union of Local Authorities two decades from now. Certainly it is embarking upon a worth while piece of constructive work in a serious way. Its usefulness to the cities of the United States is valuable. Certainly it would reflect great credit on the United States to be actually carrying its full share of the work and the financial burden necessary to the development of this excellent international set-up.

While the greater part of the time of the delegation was consumed in the study of the organizations of cities, some opportunity was furnished for observation of the activities of the municipalities. The one outstanding impression made upon us on our visit to the various cities was the large part played by town planning and housing activities. In The Hague, a city of less than a half million population, city planning began in 1890. Today the department of planning and housing has 113 people on its staff. Seventy-four hundred municipal houses have been erected since 1914.

Vienna has, filling the auditorium of the *Rathaus*, the municipal building, an educational exhibit of town planning. Vienna, like many European cities, is determined to abolish slums. Vienna is also publishing books attractive for children on housing and town planning, a pointer which America could well simulate, to educate the new generation to the importance of this problem. Vienna has built forty-six thousand separate apartments, all financed out of current revenue from year to year, and the flats rent for as little as two or three dollars a week. Each of the apartment centers has a kindergarten, a community laundry, and a community meeting place. Many have wading pools and practically all have large open courts. As an example, the Karl Marx apartment center has twelve hundred flats. Quite naturally, the great activity in planning and housing has made this a leading part of the work of the European leagues.

In France, for instance, M. Sellier, president of the French Union of Towns, is also director of the Town Planning Institute.



This institute serves all of the towns of France. We visited the beautiful new building into which the staff of the institute was moving, and found that there were on the staff some thirty or thirty-five which, if the architects doing work for the institute be considered, would bring the total number up to one hundred. It includes an exhibit room, a splendid new library, and adequate space for the entire staff.

#### EUROPEAN EMPHASIS UPON TRAINED PERSONNEL

Impressive also is the insistence of the European cities upon a trained personnel, not only in the recruitment, but in subsequent training. Berlin, for instance, trains its police officials seven years, but uses them only for five years. Naturally, there is a well trained, active police department in that city composed of only young men. The cities of the United States might well consider Prague's street lighting standards painted bright red and gold, giving a cheerful and colorful effect, as contrasted with the dull and frequently dirty street standards appearing in America.

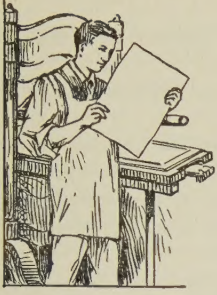
Perhaps outstanding above the work of the organizations of cities or the development of functions is the respect for law and public authority and the high regard which is ac-

corded those who are engaged in public administration. Perhaps our failure in this regard, is one of the penalties America pays for democracy. But certainly one who makes even a casual study of municipalities in Europe is bound at least to have the satisfaction of knowing in the face of discouragement that good city government, including respect for law and those administering it is not impossible of achievement. It is small comfort, as one of our European friends said, that they have a thousand years' start on us!

The next Congress is tentatively set to meet in 1935 in Berlin. Further participation by the United States is bound to be of benefit to students of government and to our municipal officials, as well as being a help to this country in building up greater good-will among its sister nations.

During the trip the delegation was received, entertained, and instructed by the Lord Mayor of London, Burgomasters Elsas and Seitz of Berlin and Vienna respectively, and municipal officials everywhere we went.

The hope was expressed by our delegation that the Congress might in 1938 or 1941 meet in the United States. Perhaps, in a small measure, we might then reciprocate the fine hospitality accorded the American group.



## NOTES AND EVENTS

**Conviction of Pittsburgh Mayor.**— Pittsburgh's indicted mayor became Pittsburgh's convicted mayor when on May 14 a Butler County jury found Mayor Kline guilty of malfeasance in office. But the mayor's conviction is a weak one. Out of 13 indictments, which the jury had to consider from the total of 48 standing against the chief executive when the trial began, a guilty verdict was returned on only one. This particular count charged the mayor with issuing a warrant for \$5000 in partial payment of three trucks before the trucks were delivered to the city. On a closely related charge, which charged the mayor with effecting the actual purchase of these same trucks, Mr. Kline was acquitted.

This possible inconsistency in the jury's findings was emphasized by the defense in arguments for a new trial, which were heard by the trial judge in mid-July. If the verdict is upheld by the judge, whose decision is not expected until September, it must also withstand a long line of appeals to the higher courts. Should the supreme court of Pennsylvania finally uphold the verdict, then "King Charlie" will be automatically replaced by the president of council, who in turn will be succeeded by a new mayor elected by the council for the unexpired term. In case such a fate proves to be the mayor's, Mr. Kline might have to serve as much as one year in prison and pay a \$500 fine. This maximum sentence would not be likely, however, in view of the jury's recommendations for the "lightest sentence possible."

In a joint trial, Mayor Kline's former director of supplies, Bertram L. Succop was convicted on 29 counts. Mr. Succop, who was dismissed reluctantly by the mayor early in the supply scandal revelations of February, 1931, was found guilty of awarding meat

contracts on "trick" bids, of splitting large canned goods orders into less than \$500 orders so as to evade the law requiring such contracts to be let to the lowest bidder, and of buying furniture and tires from other than the low bidder. The mayor escaped conviction on all these counts in spite of the law which makes him jointly responsible with department heads for the letting of contracts.

Much wrangling over legal technicalities and involved testimony featured the trial. Both defendants testified in their own defense. The jury was sequestered during the entire trial, a period of two weeks. It is understood that a woman juror, a sister-in-law of the Butler mayor, saved the mayor of Pittsburgh from conviction on more counts. But the citizenry of Pittsburgh have no rightful complaint against the jury, because all undesirable mayors are not illegal mayors.

ELBERT EIBLING.

University of Pittsburgh.

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### **Success of Detroit's Jury Panel System.**

—Detroit's new system of selecting jury panels, under provisions of state law, seems on the way to successful operation, after making the combined hurdles of political opposition and financial deficits. Profiting by the experience of Cleveland, and noting some of the methods practiced in the far west, the bill was drafted and passed by the legislature, calling for three commissioners, who are to select jury panels in local courts by a rigid key-number system. Political opposition from the old group which had long manipulated the choosing of jurors accounted for the legislative compromise whereby three commissioners were provided, instead of one full-time commissioner with adequate staff of investigators.

Ambiguity in the law as to whether the



city or the county should finance the commission resulted in delays and difficulties. Appeals to the governor, attorney-general, and legislative leaders seem to have cleared the air; if further amendment of the law is required, it may be furnished in the next legislature. Meantime the basic ideas of the plan have won practical acceptance in operation. Most of the judges and other officials concerned appear to welcome the new and better method, whereby the professional juror is eliminated. It now is proposed that a single commission be authorized to serve all city and county courts, under one management.

This reform in jury selection marks a definite step away from ancient and corrupt practices which, it is admitted, allowed vicious lawyers and weak judges in the past to "hang" many a jury, and make a travesty of justice.

W. P. LOVETT.

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**The Probst Rating System.**—A complete demonstration of the validity and reliability of service ratings made on the Probst plan, has not yet been made, although preliminary investigations point to a very considerable degree of success in the use of this method of securing service ratings.

The Probst plan does not obviate the difficulty arising from different standards assumed by a series of raters. On the other hand, the double check or triple check tends to minimize the variations brought about by these different standards. Preliminary results in the application of the Probst system in the Chicago Police Department indicate that a double check irons out much of this differential.

Careful supervision of the raters and close instruction seems to be necessary, but with such guidance, excellent operating results may be anticipated. It is true that some difficulty is theoretically to be expected using the same weights attached to the various items for different kinds of work. This difficulty is overcome in part by the natural selection on the part of the rating officer of those items which are pertinent to each type of work, omitting others which are not relevant. It is also overcome by the development of special rating forms which are now available for police, fire, educational and labor service in addition to the general form.

LEONARD D. WHITE.

### **The New Jersey League of Municipalities.**—

*To the Editor of the National Municipal Review:*

I was doubly shocked to learn in the June REVIEW of the death of my friend and former colleague, Sedley Phinney. Shocked at the occurrence, and then at something you said in your editorial.

"... Mr. Phinney had developed the New Jersey league from almost nothing into a powerful organization of municipalities with a dominant influence. . . ."

All honor to Sed Phinney and his memory, for the good work he did in New Jersey. But it is not true that the New Jersey league was "almost nothing" before his day. To say so is to be gratuitously unkind and unfair to Claude H. Anderson, first secretary of the league, and to the loyal and militant city officials who, responding to Anderson's brilliant organizing ability, enabled him to make the league powerful, dominant, and socially useful, from its start.

Have you forgotten that in war days the New Jersey league *was* the State council of defense, with all of the State's busy war-time machinery built around it? Anderson did that.

EDWARD D. PAXTON.

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### **County Consolidation Talk in Oklahoma.**

—Oklahoma citizenry is now hearing much about better and cheaper local government. Governor William H. Murray in his second message to the legislature February 4, 1931 said that "county government must needs be rearranged in order for it to survive against the costs." He proposed the following methods: First, combination of certain offices; second, the adoption of some form of county "managerial" government; and third, the reduction of the seventy-seven counties to fifteen or twenty. Regarding the last, the governor said "whether this should be done, it is idle to discuss, because it is impossible of accomplishment. The people of the losing county will never agree to surrender the county seat in favor of the county to which they would be attached. . . ." No doubt the governor was viewing the county courthouse as the politicians' "Alamo."

Governor Murray began his administration with high hopes of accomplishments. His enemies, and many of them were vicious poli-



tically, fought him at every move. Some of his friends embarrassed him by their asininity, stupidity and venality. Furthermore, the governor became afflicted with "presidentitis" and the hope of better local government reform faded away early in his administration.

The approach of the 1932 campaign brought into the limelight various organized groups seeking methods and means of reducing expenditures independent of the governor and the legislature. Yet not a single candidate, save two or three insignificant personages seeking election to the legislature, ever offered a plan or program of any kind for better local government except the usual slogan, "Economy and Efficiency." So it was left to the State Chamber of Commerce, the Oklahoma Tax Economy Association, the larger newspapers, and a few other groups to seize the lead for better and cheaper local government.

The State Chamber of Commerce has undertaken a survey of the state's local units of government and it is releasing its findings to the public as they are completed. As a result of its findings, it has announced a plan for county consolidation which will be presented to the coming legislature. In the meanwhile it is laying plans through the local chambers of commerce, and other pressure groups to organize the state for publicizing its merits. It does not expect to see it adopted in part or in whole at the present time. Its immediate objective is to arouse the public to the needs of a rearrangement of the present system and the abolition of the unnecessary aspects of it.

The plan for county consolidation as outlined by the State Chamber of Commerce is an ambitious one. It proposes that the seventy-seven counties be merged into twenty at a saving of \$17,000,000 annually. Such counties would be approximately equal in economic wealth with an area ranging from 1800 to 6400 square miles—an average area of about 3400 square miles for all counties. The existing counties have an area ranging from 419 to 1277 square miles—the average being about 900 square miles or one fourth of the average county in the proposed plan. The average citizen would be less than twenty-five miles from the courthouse, and in the case of no county would the average distance be more than thirty miles. The plan is so arranged as to take the advantages of the present state highway system.

The plan furthermore abolishes all of the 956 townships with a saving of \$3,000,000 annually. It also reduces the 5000 school districts to 2000 with a claimed saving of \$1,000,000 yearly. The whole plan contemplates a total saving of \$22,000,000 per year.

To put such a scheme into operation requires a constitutional amendment. Township government is abolished now in some of the counties, but levies for township government are made as under the system in which the usual officers govern the townships.

Of course, it is very improbable that such a plan would realize the estimated savings, but anyone familiar with local government in Oklahoma knows much could be done by consolidation. Inquiry among the candidates for the legislature reveals that there is a favorable attitude toward it. Propagandizing is the only thing needed to crystalize it in the eyes of the public which is now looking for cheaper government.

There is no excuse for the continuation of township government except for the patronage and spoils. It is universally admitted, except by the courthouse rings, that there are too many counties. And it is both natural and logical that some improvement can be made in school administration.

In addition to the survey made by the State Chamber of Commerce, the Oklahoma Tax Economy Association and other similar groups are giving their best thoughts to the merits of county consolidation. The large as well as the small newspapers are editorializing favorably toward it. A few of them are becoming militant about it.

Aside from county consolidation, talk is still being heard about county managership. The senate of the 1931 legislature with only two dissenting votes passed a county manager bill based on the model county manager plan. The legislature adjourned before it was considered in the house.

LIONEL V. MURPHY.

University of Oklahoma.

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**Establishes Consulting Office on Public Finance.**— Senator Arthur N. Pierson, who this year completes a long service in the New Jersey legislature, has set up an office in Westfield, New Jersey, and is offering his services as consultant on state and municipal financial problems. Mr. Pierson is the author of the

famous Pierson Bond and Budget acts of New Jersey which marked milestones in the progress of municipal finance in this country during the last fifteen years.

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**Civic Education by Radio.**—The radio programs entitled "You and Your Government," which were heard in the spring, are to be resumed Tuesday evening, September 6. These broadcasts may be heard weekly over a nation-wide network of the National Broadcasting Company, at eight o'clock, eastern daylight saving time. The Committee on Civic Education by Radio has prepared for the fall pre-election series on the problems of government in a depression, which will be followed after election by a series on constructive economy in state and local government. No more interesting experiment in the field of civic education has ever been tried than this attempt to present in popular form the results of scientific study of government and politics.

The time for these programs has been made available by the National Broadcasting Company, and the committee is constructed under the auspices of the National Advisory Council on Radio in Education and The American Political Science Association. The committee is made up of political scientists, economists, educators, and public men. It has no particular opinions to present and no partisan bias to divert it from the truth. The spring series was well received by educators and civic leaders all over the country. Interest increased with each successive broadcast.

The committee is frankly striving to develop a technique of broadcasting which will appeal to the mass of adult citizens. This is by no means easy. Neither the broadcasting company nor their advertisers have been able to discover, except by trial and error, what will please the public. But real progress has been made and the fall series will present some interesting experiments in the broadcasting of round table discussions, colloquies, and debates.

To the readers of the NATIONAL MUNICIPAL REVIEW the two broadcasts on "Economy in Federal Government" and "Economy in Local Government" in the pre-election series, and still more the post-election series on "Constructive Economy in State and Local Government" should be of the most vital interest. This post-election series is in part intended to

provide a vehicle of publicity for the results of the work of the Committee on Constructive Economy in State and Local Government, which has been appointed by President Seasingood of the National Municipal League.

The pre-election program is as follows:

General Theme: *Government in a Depression*  
September 6—

Issues Between the Parties

Professor Lindsay Rogers

Hon. Frederick M. Davenport

Algernon Lee

September 13—

Issues Above the Parties

Professor A. R. Hatton

September 20—

Constructive Economy in the National Government

A Round Table Discussion led by

Louis Brownlow

Hon. Carl R. Chindblom

Miss Katherine A. Frederic

William Hard

Henry P. Seidemann

September 27—

Constructive Economy in State and Local Government

A Round Table Discussion, led by

Professor Thomas H. Reed

Professor H. W. Dodds

Dr. Luther Gulick

Professor Joseph McGoldrick

Miss Dorothy Straus

October 4—

What Can Government Do to Prevent and Relieve Unemployment?

Hon. Robert F. Wagner

Professor Charles A. Beard

October 11—

How Can Government Aid Finance and Banking?

Dr. John T. Madden

Professor Walter F. Dodd

October 18—

How Can Government Provide Greater Security in Our Economic System?

Paul Masur

Professor A. W. McMahon

October 25—

Mechanics and Manouvers of Campaigns

Professor A. N. Holcombe

November 1—

Why Vote?

Professor Charles E. Merriam

THOMAS H. REED..